

The Meaning of Public Space Ownership  
A Historical Study of Patriots Park from 1976 to 2007

by  
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## ABSTRACT

In the studies of public space redevelopment, property ownership has been a central field that attracts scholars' attention. However, the term "privatization" is usually used as a stand-in for a more general process of exclusion without an examination of the nature of property itself. While taking the universality of law for granted, few studies show how that universality is built out of particular spaces and particular times, and thus hardly explain the existence of counterexamples.

This dissertation argues that the counterexamples and theoretical inconsistencies are a theoretical gap in current public space privatization studies; this gap is created by the metaphorical understanding of public space ownership. This dissertation comprehensively answers how property transfer shapes the production of public space. It emphasizes the significance of social and historical contexts in understanding the meaning of property ownership. It follows the theoretical framework of Lefebvre and Pierson as well as Lefebvre's methodology of spatial dialectic.

The case in this dissertation is the history of Patriots Park, Phoenix, Arizona from 1976 to 2007. Public records, archives and governmental plans, historical newspapers and online essays, second-hand interviews, speech transcripts and transcripts of interviews are four main sources of this dissertation. This dissertation develops a new framework to understand the meaning of public space ownership through both the initial construction of planning ideology and the spatial evolution through practice and perception, which can more comprehensively and consistently interpret the different outcomes of different public space property transfer.

## DEDICATION

For my love Yanyu Qian

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future Screening Exam. The first homework that I wrote in the U.S. was about Postmodernist epistemology. I got the lowest grade (and continually got the lowest grade in the later four more weeks), albeit I really tried my best to express my thinking. It was exactly my darkest time in ASU. Literally, it was Dr. Chilton's altruistic help that saved me. Sentence by sentence, Dr. Chilton reviewed my papers, guided and encouraged me to clarify my complex thinking in English writing. From the bottom of my heart, I believe that Dr. Chilton demonstrates what it means to be an outstanding scholar and teacher every day.

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## TABLE OF CONTENTS

|   | Page |
|---|------|
| LIST OF TABLES .....  | v    |
| <br>CHAPTER   |      |
| 1 INTRODUCTION .....  | 1    |
| 2 RESEARCH QUESTION AND CONTRIBUTION .....                    | 6    |
| Research Question.....  | 6    |
| Contribution .....  | 6    |
| 3 KEY CONCEPTS .....  | 9    |
| Public Space .....  | 9    |
| Spatial Production .....                                      | 11   |
| Privatization and Property Transfer.....                      | 13   |
| 4 LITERATURE REVIEW .....                                     | 14   |
| The Classic Debate of Privatizing Public Services .....       | 14   |
| The Theoretical Gap in Current Privatization Discussion ..... | 18   |
| The Debate of Public Space Privatization .....                | 23   |
| The Absence of Space and Time in Privatization Studies .....  | 29   |
| Public Space in Downtown Redevelopment .....                  | 34   |
| 5 METHODOLOGY .....   | 44   |
| Philosophical Assumptions of Lefebvre’s Methodology.....      | 45   |
| Theoretical Framework of Public Space Property Transfer ..... | 49   |
| Evolution of Urban Policies Over Time .....                   | 52   |

| CHAPTER   | Page |
|---|------|
| 6 METHODS .....   | 62   |
| Case Description and Selection .....                                  | 62   |
| Qualitative Case Study .....  | 65   |
| Data Source .....   | 70   |
| 7 PROLOGUE: THE DECLINE OF DOWNTOWN PHOENIX .....                     | 72   |
| 8 THE SPATIAL PUBLICIZATION IN URBAN RENEWAL .....                    | 82   |
| Planning Ideologies: The Redevelopment Process as Bulldozer.....      | 84   |
| The Spatial Practice: The Mirage of “Tough Policing” .....            | 102  |
| The Public Perception: Another Face of the “Eyes on the Street” ..... | 131  |
| 9 TRANSITION PERIOD: FROM PEOPLE PLACE TO LOST SPACE .....            | 142  |
| Planning Ideologies: the Influence of Jacobs’ Theories .....          | 143  |
| The Distortion in Spatial Practice .....                              | 171  |
| Social Perception: The Increase in Discontent toward Public Space ... | 185  |
| 10 THE LEGITIMIZATION OF PRIVATIZATION .....                          | 196  |
| Privatization as Legitimacy .....                                     | 199  |
| Privatization Legitimizes Governmental Interference .....             | 201  |
| The Construction of the Legitimacy of Commercial Spaces .....         | 206  |
| 11 CONCLUSION .....   | 210  |
| REFERENCES.....   | 228  |
| APPENDIX  |      |
| A THE BACKGROUND OF ANONYMOUS INTERVIEWEES .....                      | 248  |

APPENDIX

Page

|   |   |     |
|---|---|-----|
| B | SECURITY INFORMATION OF LASER EQUIPMENT ..... | 250 |
|---|---|-----|



## LIST OF TABLES

| Table  | Page |
|--|------|
| 1. The Meaning of Public Space Ownership ..... | 225  |

## CHAPTER 1

### INTRODUCTION

This dissertation explores how the meaning of public space ownership is constructed. In studies of urban redevelopment or downtown revitalization, property ownership of public space has been a central field that attracts scholars' attention. Because public space is generally accessible and used by the public, the property transfer of public space in urban redevelopment can have an impact on residents' lives. For instance, privatization of public space might intensify social fragmentation/segregation (Madanipour, 2003), social inequity (Watson, 2006), and intergroup conflicts regarding the rights to use public spaces (Low & Smith, 2013; Kohn, 2004; Gehl, 2011). Therefore, understanding what property ownership means for a public space and the logic of property transfer is significant to both academic research and practice of urban redevelopment.

In this regard, different schools of thought have opposing responses and interpretations: Based on the neoliberalist ideology, the advocacy of privatized public space emphasizes that private ownership improves the efficiency, accountability and effectiveness of public space management, which will create clean, safe, and inviting public spaces (for cases, see Anand, 1987; Sklansky, 1999, p.1188-1189; cf. Stenning, 2000). However, some critics emphasize that privatization will lead to the "end of public space" (Sorkin, 1992) or that because of gentrification and urban redevelopment, privatizing public space will finally create the "neoliberal city" with severe regulation over public space (Smith, 1996; MacLeod, 2002). Other scholars attempt to understand

the complexity of privatized public space in urban redevelopment by employing more indicators beyond property ownership, such as the “public space without democracy” (Madden, 2010) and “authenticity of public space” (Zukin, 2010).

However, a critical problem in current studies is that property transfer is usually a metaphorical term. As Mitchell and Stacheli (2006, p.148) criticize, “Privatization” is merely used in current studies as a stand-in for a more general process of exclusion or a limiting of access without a concomitant examination of the nature of property itself. In other words, the metaphorical understanding of property transfer usually implies that the assumed effects of ownership are general, abstract, and universal. These effects are derived from abstract legal rights and power related to the essence of ownership. Thus, the effects are beyond the specialties of different cases. The social and historical contexts of specific cases are usually not crucial factors in discussions of the effects of property.

The metaphorical understanding of property and the absence of specific contexts of property transfer cause a severe theoretical problem: in current studies, the summarized effects of public space ownership, similar to proverbs, can always find equally plausible and acceptable contradictory effects in both theory building and empirical observation. Because property is metaphorically used, the association between private/public ownership and social problems is usually taken for granted. Although empirical observation provides contradictory cases related to the results of property transfers, current studies have not sufficiently interpreted the reasons and logic that lead to contradictory results. If privatization is a synonym for public space improvement or detriment, examining the causal relationship between privatization and the supposed

results would be unnecessary. Thus, considering privatization as the end or the improvement of public space is equally plausible.

Specifically, this theoretical problem is a paradox: on the one hand, private ownership is usually blamed as the direct reason for a series of deteriorations of public space, because the property transfer immediately changes the power structure and the legal rights within the space. This perspective assumes that the private management of public space could be anticipated based on the motivation for maximizing the private owner's interest. Thus, under the same legal system, the owners of similar public spaces would have similar strategies and eventually form universal characteristics of privately owned public space beyond each specific case.

However, on the other hand, as the term “property” is metaphorically used, the analysis of property transfer is de-historicized and general. The specific natures of property are usually absent in the summary of private ownership's effects. However, without specific historical and social contexts of property transfer, we cannot clarify the interest of private owners or everyone else's interest. While some private owners make profits by keeping a space inviting, others might be able to make money by excluding people. Depending on possible scenarios, both well maintaining and abandoning a public space could be possible strategies for maximizing private interest. Without specific historical and social contexts, the theories of property transfer are not able to explain different empirical results of public space privatization or publicization.

To fill the aforementioned theoretical gap and develop a more comprehensive and historical approach to understand the property transfer in public space redevelopment,

this dissertation employs the works of Lefebvre (1991) and Pierson (2004) as theoretical frameworks. Both of these scholars analyze property transfer based on the historical evolution of public space production. As Lefebvre (1991) argues in his influential work, space is produced by dynamic social contexts over time, which encompasses three dimensions: “representations of space,” “spatial practice,” and “representational spaces” (p.41-52). Specifically, in the field of public space privatization, these three dimensions are mostly identified as planning ideologies related to plans, spatial regulation and maintenance, and people’s perceptions of spatial norms. In addition, Pierson (2000; 2004; 2005) provides the approach for analyzing the evolution of public affairs over time. This approach emphasizes the evolution that occurs in consequence of routines, tiny changes without dramatic conflicts, and the influence of previous policies. These two theories form the methodological principles for analyzing space and time.

In contrast to the metaphorical understanding of property, this dissertation focuses on the natures of property in terms of the production of public space. It places the analysis of property transfer (including privatization and publicization) back into the historical and social contexts of a specific space, namely, Patriots Park<sup>1</sup>, Phoenix, AZ from 1976 to 2006. In this dissertation, property will not merely be an abstract legal term. The concomitant planning ideologies, spatial practice, and norms in people’s perception will be presented and embedded in the historical analysis of Patriots Park’s property transfers. In so doing, property ownership is no longer automatically associated with any

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<sup>1</sup> In the 30 year history of Patriots Park, the name of this park was not consistent. This dissertation chooses the most common name, namely Patriots Park. But, the direct quotation keeps the words in the original documents. That is, in this dissertation, all of “Patriots Park,” “Patriots Square,” “Patriots Square Park,” “Patriots’ Park,” “Patriot’s Park” refer to the same park.

social problem. This dissertation will present a more comprehensive trajectory of how property influences the production of a public space.

## CHAPTER 2

### RESEARCH QUESTION AND CONTRIBUTION

#### **Research Question**

This dissertation investigates how property transfer shapes the production of public space redevelopment. This investigation includes three sub-questions:

1. How do different ideologies legitimize the property transfer of Patriots Park's redevelopment?
2. How did property ownership influence Patriots Park in terms of regulatory practices?
3. What are the norms of Patriots Park as a "good" public space?

#### **Contribution**

Answering these questions will make several contributions to the literature. The first question clarifies the ideologies of public space in terms of property transfer, namely, the space-in-plan. As Lefebvre (1991) points out, space is not only physical but also about ideologies (p.116). In terms of urban revitalization policy, the planning ideologies toward property ownership are significant in the production of the particular form of public spaces. This dissertation compares how the advocacies of public or private ownership legitimize the related property transfer in urban revitalization. Through this comparison, this dissertation presents how different ideologies interpret the pros and cons of public or private ownership in a contradictory way and subsequently blames the "inappropriate" property ownership of the space as the main reason for creating blighted areas. In this process, property is not only a title but, more importantly, an ideology,

which might interpret the same urban crisis in a contradictory direction, forming opposite urban revitalization policies.

The second question clarifies the inconsistency within current studies of the relationship between ownership and regulation and explores the factors that influence the regulation practice under property transfer but are absent or taken for granted in existing theories. In this vein, property means the practice of spatial maintenance and regulation practice within space.

Specifically, in current studies, “regulation” and “maintenance” are two prominent issues related to the regulation of privatized public space (Spitzer & Scull, 1977; Mitchell & Staeheli, 2006; Shearing & Stenning, 1981; Kayden, 2000; Smithsimon, 2008; Wakefield, 2005). However, as the literature review points out, the current studies oversimplify the influences of property and assume contradictory “fixed” outcomes of urban processes (Harvey, 1985). Following Mitchell’s (2003, p.50) critics, this dissertation examines the influence of public space property within the social and historical contexts and expands the understanding of property transfer.

The third question focuses on the space of users, namely people’s imagination of an ideal public space. The imagination of an ideal public space in redevelopment is an important representation of “the right to the city” (Lefebvre, 2000; Mitchell, 2003), which is “not merely a right of access to what already exists, but a right to change it after our heart’s desire” (Harvey, 2003, p.939). In other words, the competition over the right to a public space relates to what a public space should be. More importantly, merely understanding different perspectives by a dichotomy of economic elite and poor groups is



not sufficient to manifest the complexity of people's "desire" concerning public space redevelopment. In exploring this question, this dissertation delves into the perspectives from broad ranges of urban residents beyond the current users and developers and finally presents a bigger picture of the norms of public space.

In sum, property transfer studies should not merely include the indicators of property title, property laws, and social problems. The ideologies, practices, and space users' perspectives will also significantly shape a space. In this vein, this dissertation will examine the same physical place within different periods to promote a historicized approach in property transfer studies.

The answers to these questions will help fill theoretical gaps in the property transfer literature, develop a more consistent framework for understanding property transfer, and push the boundaries of current studies of property transfer in public space redevelopment. They will break through the existing approaches in current studies, which metaphorically understand property transfer as a logical premise but overlook the cases that challenge this premise. This dissertation will also contribute to the general public space studies by illuminating the complexity of the planning purposes of public space construction. Because of the diverse "production" process and specific spatial contradictions, the meaning of public space ownership is diverse, albeit physical features of public spaces might be superficially similar. Understanding the nature of property in public space redevelopment, rather than simply assuming that some social problems are the effects of property transfer, will provide a more comprehensive examination of public space ownership.

## CHAPTER 3

### KEY CONCEPTS

As this dissertation is rooted in the specific fields of urban studies and replies to several concepts that have various definitions and uses across different academic fields, this section will define the key concepts and provide their theoretical backgrounds and note the difference between the definitions in this dissertation and other common meanings of the concepts.

#### **Public Space**

Across different research focuses, public spaces have various definitions, which make “public space” an umbrella term that encompasses diverse definitions. “Spaces and places can have all, some, or just one of the features that we generally label public and yet therefore still be considered ‘public space’” (Parkinson, 2013: 300). In this dissertation, the term “public space” specifically means the “public space” in master plans (comprehensive plans) and other formal urban plans. In other words, all public spaces referred to in this dissertation are identified by the formal planning documents.

Specifically, public space is publicly accessible and for public gathering. For example, the Planning and Developing Department of the city of Phoenix explains that “public spaces includes streets, sidewalks and trees, street furniture, and parks and plazas” (Phoenix Planning and Developing Department, 2008, p. 6-5). The term public space is defined in formal urban plans through three approaches, albeit the details of laws and requirements are diverse in the US:

First, public space might be a specific category in the list of real property land use codes. A county might have real property land use codes that establish the land use categories and the correspondent code number at parcel level. If the planning data are digitalized, the GIS shapefiles will identify public spaces in the county clearly for each parcel. The underlying logic of this identification is the method of exhaustion. Because the total areas of urban space are limited, if we can identify the category of each parcel, the identification of public space would be clear.

Second, following specific land use codes, the master plans (comprehensive plans) of American cities usually categorize urban land uses into five categories. Public space is one of them. The other four categories are commercial space, residential space, industrial space, and agricultural space. Thus, the master plans of American cities identify the specific location and the boundary of the public space parcel.

Third, some cities might have additional planning codes and criteria for public space. For example, the New York City Council (2007) defines the “privately owned public space” as that “shall contain an area of not less than 2,000 square feet,” “at least 50 percent of such area shall be free of obstructions,” and so on.

In this vein, public space in this dissertation is a term in urban planning. It has two prominent differences with other definitions in everyday language: first, in planning, definition of a public space does not depend on the property ownership. It could be a government-owned or a privately owned real property, as long as the space is identified as “public space” in zoning and planning documents. In other words, the “public” in public space identifies the zoned use rather than the owner of the real property.

Second, public space in planning does not rely upon people's real activities for its zoning identity. Public space is supposed to be a place for public gathering. However, no public use or no *de facto* public gathering would not automatically change its zoning code. The urban "lost spaces," sunken plazas, and poorly maintained public parks are still public space in the sense of planning and zoning (Tibbalds, 2012; Trancik, 1986). Thus, the identification of public space in zoning is different from the definition of other social theories that define the term based on people's social activities. For example, Habermas (1989) identifies coffeehouses of France as a "public sphere," in which citizens express their ideas and form public opinion. Similarly, Arendt (1958, p.4) defines a public space as a place of appearance, where "freedom can appear" and "men act together in concert". Then, "a private dining room in which people gather to hear a Samizdat or in which dissidents meet with foreigners can become a public space" (Benhabib, 1993, p.102). However, in urban planning and zoning, the cases in Habermas' and Arendt's works are definitely commercial and residential spaces, rather than public spaces.

### **Spatial Production**

The term "production" of space in this dissertation has a specific meaning. The term "production" is derived from Lefebvre's (1991) urban theory and philosophy. It represents the process of forming the meaning of a space.

As Schmid (2009) illuminates, Lefebvre's terminology is based on his complex and unique materialist philosophy, whose core is "human beings in their corporeality and sensuousness, with their sensitivity and imagination, their thinking and their ideologies; human beings who enter into relationships with each other through their activity and

practice” (p.29). In his philosophy, space is not just a physical place. Neither should space be considered as a passive and empty “container” of social structure. Rather, space is an integral social reality. All elements within the space, such as physical features, social perception, interaction, activities, behaviors, and so on, are undividable. In this vein, the meaning of a space is not formed lineally. No feature of the space could be “independent” regarding the meaning of the space. All features and elements of a space are inter-dependent with each other. Thus, a space is a socially produced reality, which highly relies upon the social contexts of the particular space and particular time.

More importantly, Lefebvre understands the space as a “becoming” process: the realization of spatial contradictions to be real without a final finished form. The internal contradictions interact with each other and promote the evolution of the space. While the contradictions are “transcended” (or in ordinary language, “figured out”), the strategy for determining the previous contradictions recreates the new contradictions. Therefore, during this constant dialectic process, the social and historical contexts produce the space, with its undividable planning, practice, and social perception, as an integrally existed social reality.

Because this dissertation applies Lefebvre’s research philosophy and theories, it follows Lefebvre’s terminology that refers to the process of forming spatial meaning as “production.” Therefore, the term “production” in this dissertation means neither architecture and physical construction, nor the economic “supply” of total public space area as the supply and demand analysis in economics. Rather, “production” in this dissertation represents the social construction of the meaning of a space. Space and Time

are two significant dimensions to examine the evolution of the meaning. More details of Lefebvre's research philosophy will be analyzed in the methodology section.

### **Privatization and Property Transfer**

Although privatization is a common term in the discussion of public affairs, it has different meanings across different research focuses. This dissertation focuses on the privatization of transferring the property ownership of the real estate from the public sector to the private sectors. In other words, in contrast to the analysis of public services, the privatization of public space occurs in the existing real-estate market, rather in a bureaucracy institution. Privatization here means the property ownership transfer, rather than contracting out public services. Once a space is privatized, it will become a private property. Private owners, thus, will have the property and disposal rights. The laws applied to the privatized space are different from the laws ruling governmentally owned real property.

In addition, because public spaces are in the real-estate market, governments can purchase real property from private owners. With regard to public space, publicization usually includes purchasing private lands, implementing eminent domain power, and confiscating real property as administrative penalty. Thus, in terms of public space and other real estates on the market, privatization is not a one-way street. There are both privatization and publicization related to the change of ownership. In this vein, this dissertation applies the concept "property transfer," referring to both privatization and publicization. The difference between privatization of public service and governmental real properties will be discussed in the literature review.

## CHAPTER 4

### LITERATURE REVIEW

This research project is rooted in the current debate on the meaning of property ownership toward urban public space. This chapter reviews the relevant theoretical debates and critiques in three sections. The first section reviews the background of public space privatization and the associated debates. The second section identifies gaps related to space in the mainstream public administration studies of privatization. This section also discusses the practice of privatizing government-owned real property.

The third section summarizes the current debates associated with public space property transfer. Privatization is a prominent topic in public space studies. Different schools of thought develop diverse and even opposing evaluations of real property ownership. This section reviews these different perspectives, with a focus on their specific concerns and the logical deduction and estimation of the effects of private and public ownership on public space.

The fourth section notes the theoretical problems of metaphorically understanding real property ownership, which have been recognized and criticized by numerous scholars. Following the existing critics, this section examines the theoretical problems in the specific field of public space studies and the particular assumptions that create the logical incoherence in current studies.

#### **The Classic Debate of Privatizing Public Services**

During the last several decades, almost all great metropolitan areas have witnessed the movement of privatization in the fields of public affairs (Kettl, 2006;

Barzelay, 2001). In this process, privatization has numerous meanings and effects through the interpretation of diverse schools of thought. For example, regarding the advocacy of privatization, privatization could be understood as a value-free management strategy that increases the efficiency and effectiveness of government because it introduces market-oriented competition and performance evaluation into the rigid bureaucracy system (Barzelay, 1992; Savas, 2000; Osborne, 2002). Privatization is supposed to be a universal value-free approach promoted by instrumental rationality and a new pattern of public management that promotes the partnership between public and private sectors across different political institutions (Hughes, 2012; Savas, 1987). In this vein, privatization is a component of the general government reinvention (Osborne & Gaebler, 1992) and a possible option for implementing public policy and affairs with less cost and higher efficiency (cf. Hood, 1995). The government does not necessarily handle all particular management or service delivery by its public sectors. It could contract out the services to qualified private sectors. In the market, firms compete for the government-offered contracts by their performance. Then, the most efficient companies on the market will deliver services and implement public policy in the best way. One assumption is that privatization breaks through the traditional bureaucracy that has to rely upon affiliated governmental agencies that lack explicit motivation.

In addition, privatization could also be a symbol of neoliberalism. This political ideology understands the concept of “people” as individuals. Privatization is understood as an approach to prevent governments from disturbing “people’s” lives (Harvey, 2007; cf. Dunleavy, 1992; Dunleavy & Hood, 1994; Starr, 1988). The market system is usually



assumed to be the natural system created by people, while government is an outside intervention. Government is necessary only when the market system does not work normally because of market failures such as monopoly, information asymmetry, and externality. As long as private sectors are able to implement policies or deliver services, assigning public sectors to replace the market is inappropriate and challenges people's natural liberty. In other words, privatization is a type of liberation that allows citizens to control their own public lives without too much control, regulation, or disturbance from government.

Opponents to privatization contend that privatization is a threat to the legitimacy and norms of public administration. First, privatization undermines the accountability and integrity of government. While privatization transfers policy implementation from public to private sectors, it is not a simple cooperation but rather a hollowing out of governmental capability and the constitutional basis of public administration (Milward & Provan, 2000; Terry, 2005). The key reason is that public administration and private business have different legal bases (Moe & Gilmour, 1995). Regardless of the superficial similarity, public administration is and should be regulated by public laws, which protect the constitutional rights of all citizens, rather than the profitability of private business. While private sectors take the place of public agencies, public laws are not applied to private sectors. The privatized policy implementation *de facto* bypasses the requirements of transparency, public budgeting, and other regulations toward public agencies, albeit these requirements are the basis for protecting citizens' rights (Peters & Pierre, 1998). Without the formal institutional process and control, people would hardly supervise the

particular policy implementation and maintain the accountability of public administration (Bogason & Musso, 2006). The integrity of government and its system of public laws, thus, are damaged by loopholes. The “red tape” in the eyes of a private business might be an important requirement of the Constitution.

Second, privatization sometimes hurts the equity of citizens. Privatization usually appraises the value and performance of a government merely through the market or commercial cost-benefit analysis, while the government in fact has more complex duties. The argument that citizens are not customers is a significant criticism of privatization (Denhardt & Denhardt, 2000; Hefetz & Warner, 2004). Under the superficial low cost of privatized policy implementation, citizens who have insufficient purchasing capability are usually *de facto* excluded from public services. According to the considerations of fairness and equity within public affairs, giving more weight to the demands of those who have more resources is not just. In contrast to private sectors, the requirement of equity forbids government to treat the rich better than the poor. Then, the evaluation of governmental performance cannot be completely economical or profit-oriented. In addition, in many situations, government cannot identify which groups are customers. For example, environmental and cultural conservation is serving the future generation, rather than the current customers. In terms of the new technology promotion and administrative penalty, government activities are “servicing” the groups who usually do not know or actively seek the service. While the clients do not directly or actively interact with government, the equilibrium between immediate clients’ demand curve and willingness

to pay cannot determine the significance of the service to them. The “demand” for speeding tickets is almost zero, but that does not mean that speed will not kill.

Third, privatization does not equal higher efficiency and effectiveness. An underlying assumption of privatization is that the competitive market system can distinguish the most efficient sectors to deliver public service. However, private sectors are not always in an ideal perfectly competitive market, particularly regarding the specific field of public services (Van Slyke, 2003). Because the market of public service is usually not large enough to maintain numbers of companies to be potential competitors, governments might not have plenty of options when they attempt to contract out services (Sclar, 2000). The private companies that are able to deliver public services are usually associated with governments. Once a service is contracted out to a company, other companies would be prevented from winning the contract in the future because the market is too small to maintain these companies’ survival until they win the contract of public service in the next term. Thus, private sectors might have performance similar to public sectors if they step into the field of public affairs.

### **The Theoretical Gap in Current Privatization Discussion**

Although scholars have long debated the pros and cons of privatization, the dichotomy between the bureaucracy and the market is a usual underlying assumption of the debate. Government and the associated public ownership are the symbols of the bureaucracy system. In contrast, private ownership represents the market system and market-oriented competition. In other words, regardless of the advocacy or criticism of privatization, the focus of the debate concentrates on whether bureaucracy or a market

system is appropriate to public affairs. Although the criticism of privatization disagrees with taking market-oriented competition as a panacea in the field of public affairs, by and large the critics still imply that the disadvantages of privatization are derived from the market system. Private ownership becomes synonymous with market.

However, in contrast to the analysis of public services, the bureaucracy-market dichotomy created a theoretical gap in the analysis of real property privatization. If property transfer occurs in an existing real estate market, both governmental properties and private properties are exchanged in the same market system. As the real properties in both ownership types should always follow the rules of the real estate market, the bureaucracy and market dichotomy would no longer fit the assumptions. For example, if a city government leases its shopping mall to merchants, the lease would not create a top-down command-and-obedience hierarchy under public laws.

Few of the dichotomist analysis of privatization realize that a government not only plays the role of civil servant but also has many resources and properties within the existing markets. It can also purchase properties or invest in the market system similar to other private sectors. While government purchases properties in the existing market, oversimplifying public ownership as bureaucracy or private ownership as market is inappropriate.

Government might directly own a hotel (e.g. the Sheraton Grand Phoenix), a mortgage loan company (e.g. Fannie Mae), and a large number of real properties. The markets of tourism, mortgage and real estate are not created by privatization reform. They are existing markets that government invests in. Within the existing market,

governmental activities also follow the logic and requirements of the market system, rather than bureaucracy, albeit the governmental investment might have consideration of general public interests. Government might purchase or sell properties and run a business as other private sectors would. From the original meaning of property ownership, transferring private properties to government ownership is publicization, while selling governmental property to private sectors is privatization<sup>2</sup>. However, the most important difference between the privatization of real estate and public services is that the privatization of these governmental properties (hotel, mortgage company, real properties, and so on) is in the existing market, rather than in bureaucracy. Regardless of whether a hotel is governmentally owned or privately owned, the customers of the hotel are customers and pay for their services. The governmental ownership does not lead to a replacement of the tourism market by a bureaucracy system driven by people's constitutional rights.

In addition, current studies in public administration rarely analyze the property transfer of real property ownership and the associated effects. For example, Sclar (2000, p.20-26) provides a vivid case of the privatization related to post offices. In this analysis, if a government-owned post office manages its business by itself, this service is public. However, if the post office is replaced by a FedEx branch, the service would be an example of privatization. The definition of privatization depends on whether the service provider is publicly or privately owned, regardless of the ownership of the space.

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<sup>2</sup> For example, Merriam-Webster Dictionary defines the word "privatization" as "to change (as a business or industry) from public to private control or ownership."

However, as Harvey (2005) emphasizes, the analysis of a social relationship cannot depart from the features of space. The space where the social interaction occurs would directly influence the meaning and effects of the interaction. The property ownership of an office building does influence its tenants. The same tenant would have different legal rights and power when the ownership of the office changes. The right of exclusion is a typical case that illustrates this point.

For example, with regard to private properties, the right of exclusion is derived from the law of trespass and the “reasonable access rule” (Gray & Gray, 1999). Regarding private property, the values of private properties are also protected by laws. Although the Civil Rights Act of 1964 prohibits the private owner from arbitrarily refusing service to patrons (Singer, 1995), access to private property should be reasonable, rather than unconditional. For example, refusing access to patrons lacking adequate hygiene to a private property is legal because people’s access should not damage the economic value of the property and the right of exclusion is a fundamental constitutional right of private owners (Callies & Breemer, 2000, p. 52; cf. Scruton, 1982, p. 375). However, regarding a publicly owned property, protecting the economic values of property is not always a sufficient reason to exclude people from a government-owned building. The exclusion should follow the Equal Protection and Due Process Clauses of the Fourteenth Amendment and should prove that the exclusion is not a distinction but rather a protection of other patrons. Take the case of *Kreimer v. Bureau of Police*<sup>3</sup> as an example. In this case, whether the public library has the right to refuse the access of a homeless man without adequate hygiene is significant. A basic reason why this case

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<sup>3</sup> 765 F.2d 181 (D.N.J. 1991)

would be controversial is because this is a public library in a publicly owned building. Suppose that if this library rents its rooms in a private shopping mall, the security of the mall might legally refuse the access of any patron with extreme odor at the front gate, according to the laws of private property protection and the “reasonable access rule.” All applied laws of the same exclusion would be different merely because of the different property ownership of the space (the real property).

Therefore, oversimplifying privatization as a challenge to the bureaucracy system or merely focusing on the ownership of service delivery is inadequate to explore the whole picture of privatization. Breaking through bureaucracy and constructing a market-oriented governing structure are merely a part of the meaning of the term “privatization.” In terms of property ownership, whenever a private sector purchases a property from a government or public sector, theoretically, this transaction would privatize the property ownership. In other words, the privatization of this property is caused by a transaction on the market, rather than inside a bureaucratic system. For example, if a government sells an office building to a private owner, the transaction privatizes the ownership of the office building. However, this type of privatization by no means breaks through bureaucracy or reengineers administrative processes. The privatization here occurs in an existing market, the real estate market. It does not replace the bureaucracy by the market. However, although the privatization of real properties is relatively less discussed in Public Administration than the privatization of government, the property ownership of a space would directly influences the rights and powers of people within it. With regard to the same branch of USPS in Sclar’s (2000) case, whether this post office is in a private

shopping mall or in a governmental building would immediately change the post office's rights and policies of exclusion. Then, the post office might be as exclusive as a private sector post office if it rents private office rooms. The privatization of the space, the real property, is as important as the privatization of service delivery itself, albeit the privatization in the real estate market arouses less attention in current public administration studies.

### **The Debate of Public Space Privatization**

In modern cities, the most significant influence of spatial privatization occurs in the field of public space. Theoretically, public space is a place for public gathering. The main planning purpose is to encourage people to gather in the space and create the sense of commons and community. In different societies and periods, the specific strategies for attracting people to the public space might be different. Regardless, attracting people and encouraging the gathering and use of the space is a usual norm of public space. For example, the Central Park Conservancy of New York City changes its policy from forbidding people to eat plants in the park to hiring "the Wildman Steve Brill, naturalist" to lead the tour of the edible plants. Regardless of the superficial policy inconsistency, the underlying purpose of both prohibition and permission of plant eating in Central Park is the same, "so that a maximum of uses are legitimized" (Shepard & Smithsimon, 2011, p.26).

However, modern cities have witnessed a special new phenomenon in the past several decades. The prevalence of consumerism renders everything, including public space, into the commodity form (Sklair, 2010). The architectural icons and all other



related manifestations of a public space are turning into specific types of commodities (Sklair, 2012). In this trend, even the traditional public spaces, which were once thought to have no business value for private investment, have been generally privatized into a new form. For example, the High Line Park in New York City is a typical case. This is an urban park, but it is owned and managed by private conservancies. In addition, this privatized urban park is financially self-sufficient without public funds. High Line Park generates sufficient revenue from donations and its commercial activities, such as renting space to corporations for private events, operating leases with food vendors, and so on. Therefore, public space is no longer a synonym for public ownership. Both public and private ownership of public spaces are possible. However, as different ownerships would directly change the social structure of a public space, there are fierce debates surrounding which form of ownership is appropriate.

With regard to property ownership of public space, there are debates between proponents of privatization and publicization. The advocacy of private ownership assumes that the management of privatized public space is more efficient than orthodox publicly owned space because private owners can eliminate problems that haunt the traditional public space. For example, as Mitchell and Staeheli's (2006) case presents, the advocates of private ownership emphasize that the private control could be free from the red tape imposed by governmental agencies because private management is usually less bureaucratic and has sufficient funding. Thus, private owners and their managers would be able to improve public security and provide clean, ordered and high-quality public spaces. Further, the regulation of privatized public space is assumed to be more

accountable. The advocates argue that the spatial control of privatized public space must establish a positive relationship with ordinary people because their profit comes directly from people's visiting (for cases, see Anand, 1987; Sklansky, 1999, p.1188-1189). In this vein, the private ownership would have the direct motivation to respond to people's demands, and the private owners can legally enact the rules that governments could not or would not enact.

In addition, this advocacy is strengthened by the neoliberalist ideology, which assumes that private management is a more efficient way for social control with lower cost (for cases, see Spitzer & Scull, 1977, p. 24-26; Scull, 1977). When private sectors control public spaces, flattened management structures, devolved budgets, and customer-oriented cultures are emphasized (cf. Johnston, 1999). The survival of a privatized public space depends upon people's visiting and consumption (Kempa, et al., 2004, p.566). Rational owners would try their best to protect the quality of public space as an inviting space.

However, the critics emphasize that privatization of public space is designed to serve customers rather than all urban residents. Commodifying the proximity and regulation of public space would bring two major negative effects: first, within the space, private regulation has different legal tools compared to the spatial regulation of governmental agencies (Stenning, 2000). The legal relationship between private owners and those who are within the restriction is constructed as "private" or "commercial." Private owners of public space are usually able to search people, enforce conditions, or exclude and remove people from private properties under the name of protecting private

business and property values (Button, 2003, 2007; for the distinction of legal tools among different types of properties, see Jason-Lloyd, 2003). Thus, although both the private and public spatial regulation might carry out similar tasks, private regulation of public space would apply little judicial review or legislation (Sarre & Prenzler, 2011). The power of private regulation imposing on public space is thus opaque and not accountable by formal governmental regulation (cf. Sarre & Prenzler, 1999). Therefore, ensuring that the legal powers of private regulation are not misused is a great challenge (Wakefield, 2003, 2005).

In addition, the rise of public space privatization might hurt social equity. In the process of public space privatization, consumerism is squeezing out traditional public spaces and replacing them with consumerist spatial management (Ritzer, 1999). Public space, thus, becomes a type of commodity on a market and the competitive market system produces a displacement effect. In a market system, the distribution of private security and investment is unequal. Even if privatization reduces the crime rate and improves the quality of a privately invested space, the public spaces of impoverished communities who cannot afford such private upgrades would be more vulnerable (Loader, 1997a). More importantly, the logic of privatized improvement mostly relies upon exclusion, rather than integration (Loader, 1997b; 1999). The order, cleanliness, and maintenance are not promoted by the informal observation and regulation based on subtle social networks and bonds among diverse users, as Jacobs (1961) and Harvey (1992) advocate. Rather, the management of privatized public space deliberately identifies and excludes the “risky” groups of people. This strategy intentionally makes specific groups of people and their opinions invisible in a public sphere (Von Hirsch & Shearing, 2000).

Then, if the private owners consider that some groups of people would deter paying customers, private owners would exclude these non-customer groups, who are usually poor, young or minority people (Kempa et al., 2004; White, 2011). From this perspective, the rise of privatization does not mean the upgrade of public space, but rather the end of public space (Sorkin, 1992).

However, although the aforementioned debates expand people's understanding of the particular consequences of property transfer, both sides of the debates usually have the same implication: the features and results of property are assumed to be general and universal. To a large extent, property is a metaphorical term. It is merely the stand-in for a series of social problems without examining the nuances of property in specific social contexts (Mitchell & Staeheli, 2006, p.148). The logical deduction from property transfer to the claimed social problems is taken for granted, such as equating public or private ownership with a lack of law enforcement or social exclusion of disenfranchised people (see the case in Mitchell & Staeheli, 2006; Wakefield, 2005).

In this vein, the current public space studies of property have a prominent problem in their underlying logic: metaphorically understanding property can hardly explain the existence of empirical counter-examples. Without distinguishing the specialty of social contexts, we can always find an equally plausible and acceptable contradictory example regarding each claimed social problem associated with property ownership. For instance, while privatization represents the general erosion of public space and social exclusion (Sorkin, 1992; Mitchell, 1995), public ownership could also mean the erosion of public space because the spatial management follows the willingness and discourse of

the government, rather than the people (Drummond, 2000). Some scholars observe that private ownership would become a source of power that makes public space exclusive (Spitzer & Scull, 1977; Shearing, 1992); other cases illuminate that private owners would like to keep their property inviting for maximizing business profits, although they do not have to discuss how to make a space inviting with the space users (Madden, 2010).

Generally, because the existence of counter-examples would challenge the persuasiveness of a theory, overlooking counter-examples is logically unacceptable. While a theory of public space privatization supposes that private ownership leads to more severe spatial regulation (e.g. Spitzer & Scull, 1977), it should be able to logically explain why some other private owners lack motivation to manage the public space they owned (e.g. Kayden, 2000; Smithsimon, 2008).

However, explaining the existence of counter-examples challenges the foundational assumption that the features and effects of private or public property are universal. If we admit that the same type of property ownership would not always lead to the same results, we can neither understand the meaning of property merely from abstract legal rights, nor assume that the same terms of law would universally bring the same outcomes. The effects of property, thus, cannot always be taken for granted or used as the premises of the debates related to public space privatization. The further understanding of how property ownership influences a public space relies upon a more complex interpretation of the relationship between property ownership and public space. The absent factors of property transfers that lead to different results are significant to the interpretation of property transfer in public space redevelopment.

## **The Absence of Space and Time in Privatization Studies**

As Mitchell (2003) points out, “(traditional analysis) takes the universality of law for granted when it should show how that universality is built out of particular spaces and particular times and is thus responsive to those spaces and times in ways that may make it inappropriate for other social contexts” (p. 50). In other words, space and time are two of the most significant factors that shape the particular outcomes of property transfers. The social contexts and history of a space are not only a backdrop of property. More importantly, the social contexts and history of a space identify the meaning of a space; then, they also shape the outcomes of the development of the space (Lefebvre, 1991). Without the understanding of specific social contexts and history, the differences among diverse public space redevelopment could not emerge merely in the realm of legal or economic discussions. In this vein, the counter-examples of property transfer studies do not only influence the self-consistency of theory building at the level of basic assumption. More importantly, the logical inconsistency of counter-examples is rooted in the specific aspects of public space studies.

First, privatization and publicization are usually oversimplified merely as economic phenomena following economic motivation and logic. With regard to the property transfer in public space redevelopment, studies usually reduce other factors into economic units, focus on the general capitalist system or growth machine (Spitzer & Scull, 1977; Logan & Molotch, 2007), and interpret the motivations of property transfers through economic rationality. Therefore, the debates of property transfer in urban planning are usually associated with attitudes toward the capitalist growth machine (for

the pro-public ownership discourses, see Loader, 1997b; Hadfield, 2008; Scull, 1977; Sorkin, 1992; for the pro-private ownership discourses, see Johnston, 1999; Kempa, et al., 2004, p.566; Sklansky, 1999, p.1188-1189). Privatization, especially the privatization in downtown gentrification, is a rational result when the land rent of public real property is lower than its potential price according to the land rents of the surrounding real estate at the same location (cf. Smith, 1979). However, as Harvey (1985) illuminates, if studies reduce social contexts and people's behaviors into "money" or economic logic because the same utility is supposed to produce the same outcome under the same economic logic, they would transform and fix the meanings of space and time in social life. The interpretation of urban process would be increasingly incoherent, while the fixed outcomes could not be determined in advance (p.1).

Thus, simply assuming that public or private ownership is good or bad is not persuasive. Public ownership does not always form social integration, while privatization does not always follow the logic of economic rationality (cf. Merrifield, 1996). A property transfer could not be merely interpreted by an economic dichotomy between public and private as an objective phenomenon. The planning ideologies that theoretically legitimize property transfers are an important and necessary factor for bringing the space and time back into the understanding of public space. For example, the planning ideology of Fascism, which exalts "absolute place (the soil, the fatherland)" and violently persecutes Jews as the historical symbols of private owners, is definitely different from the planning ideology that attempts to increase social equity by publicization and appraise human life other than merely through the market, albeit they both criticize the market-

oriented and economic rationality in planning (cf. Harvey, 1985, p.20). The difference between planning ideologies and their rationales that legitimize urban redevelopment plans should not be overlooked through the dichotomy between public and private ownership. In this vein, property transfer is not only an objective economic phenomenon but also the result of specific planning ideology. The same property features do not always lead to a fixed outcome from economic rationality. The planning ideology that legitimizes the property transfer directly contributes to the complex meanings of a public space.

Second, the specific process of spatial practice within the spatial evolution is usually absent. Thus, the different outcomes derived from the cumulative social interactions are hard to explain. Space is not stable. It might be constantly reproduced, distorted or displaced within the spatial practice (Lefebvre, 1991, p.42). In other words, public space studies are not only about the idea in formal planning documents at the genesis of the space but more importantly about the practice. In terms of public space, the spatial practice produces and is produced by the power relationship and linkages between the space owner and those who are regulated (Lefebvre, 1991; Leary, 2013; Soja, 1989). The practice of spatial maintenance and regulation continually adjusts the social relations within the space, and identifies who has the rights to the space (Zukin, 1996).

However, while property is metaphorically understood, the characteristics of spatial maintenance and regulation are assumed to be associated features or outcomes of private or public property. Practice is no longer understood as a process of interaction that produces the spatial evolution. In other words, practice becomes one of the “fixed”



effects of property transfer rather than the process that identifies the actual meaning of property. As such, the dynamics, evolution, and distortion of spatial practice under the same property ownership are theoretically excluded. Several studies theoretically assume private ownership would cause a more severe regulation or limiting of access than public ownership, albeit both publicly and privately owned space could be exclusive (Sorkin, 1992; Smith, 1996; MacLeod, 2002; Spitzer & Scull, 1977; Scull, 1977). Then, similar to overlooking underlying planning ideologies, fixing the meaning of spatial practice also creates counter-examples and makes the urban theories incoherent. For example, while some scholars criticize that private ownership of public space would make regulation a more serious “unremitting watch” (Wakefield, 2005, p.532), Kayden (2000, 2006) empirically explores the maintenance and management of the privately owned public space in the city of New York and finds that most of these spaces are poorly maintained and lack regulation, let alone “unremitting watch.” In addition, Smithsimon (2008) further analyzes that “the poor maintenance” is an intentional strategy of the private owners because they want the visitors to admire the beauty of the space briefly but not stay too long in their properties. The problem here is that if we still consider the maintenance and regulation of a space as automatic effects of property transfer, rather than a dynamic cause that produces the space, the theoretical incoherency and counter-examples would not be solved.

Third, the diverse perspectives of space users and the related competition of public space are geographically restricted and oversimplified. Under urban redevelopment, scholars have realized the competition between the space-in-plan and the

space-in-use (Mitchell, 1995; Smith, 1996). The urban planning and redevelopment policy might not always take the perspectives of the users of the space into consideration. Especially in urban redevelopment, the current users of a public space (e.g. homeless, young, or poor people) are usually the population that the redevelopment policy wants to exclude. Therefore, as “revanchist city” theory (Smith, 1996) notes, public spaces under urban redevelopment usually experience battles over public spaces. Understanding public space redevelopment as a competition between space users and space planners is becoming an important approach in studies of public space under redevelopment. However, this approach has a shortcoming: it usually implies that public space is given and the status quo is right. For example, Smith (1996) implies that the existing homeless people in a public space are the users of the space, while the advocates of redevelopment, private corporations, bourgeois political elites, and their supporters are invaders. However, the competition over public space under redevelopment is much more complex than the struggle between the existing users in the space and the ones who want to change the space. The potential users who are excluded from the space because of the fear of crime, disorder, or dirtiness should not be simply categorized as the supporters of bourgeois elites. A public space matters to all urban residents who would like to use the space rather than merely to those who are using it. People’s imagination of a “good” public space under redevelopment should be more comprehensively examined and go beyond the dichotomy between bourgeois elites and poor users.

In sum, because of the complexity of property transfer, simply assuming any social problem as the fixed outcome of property would create empirical counter-examples

to the theoretical interpretation and would damage the logical consistency in current urban studies. More importantly, the inconsistency is rooted in the research approach of current urban studies. Reducing space and time into economic units and logic, overlooking the evolution of spatial practice over time, and geographically restricting the definition of space users mechanically fix the interpretation of space, and thus hardly explain the counter-examples in empirical observations. In this vein, applying a new approach to more comprehensively interpret the effects of property transfer in public space redevelopment is necessary for expanding the understanding of public space property transfer.

### **Public Space in Downtown Redevelopment**

Literally, public space is merely the name of a space category in urban planning, similar to commercial, residential, industrial, or agricultural space. While a city should plan certain space for its residents to work, shop, and live in, in the same way, it should also plan space for public gathering and recreation. From the perspective of urban engineering and design, the term public space has no more subtle meanings than other types of urban spaces.

To a large extent, the increasing discussion of public space property transfer in urban studies is tightly associated with the historical background and urban policies of downtown gentrification or redevelopment. The meaning of public or private ownership, and the understanding of the cause of urban crises could be diversely interpreted. Then, the different understandings will lead to nuanced redevelopments. In other words,

property transfer is a significant phenomenon in downtown redevelopment. However, the effect of property transfer should not be stereotypically oversimplified:

Because public space is used by the public, this feature usually connects public space with governmental power and public ownership. In the United States, even regarding the states that most seriously restrict the exercises of eminent domain power, condemnation for creating public space is usually legal. For example, although the Supreme Court decided in the case *Kelo v. City of New London*<sup>4</sup> that the use of eminent domain for private owners to promote local economic development is legal, some states completely forbid such a use through State legislation (e.g. the Private Property Rights Protection Act in Arizona). However, if a city uses eminent domain power to further economic development by creating public space under governmental ownership, the redevelopment would be less controversial and much easier in most of the states. Therefore, the building of public space provides a convenient approach for city government to invest in and adjust to the local real estate markets. It is a common strategy in government-driven urban renewal and gentrification. The features of public use and public ownership thus support the urban redevelopment plans of government. Publicizing private properties into public space might be a city policy in urban redevelopment. It is a direct policy implementation representing the local government.

However, because a public space usually represents the policies and ideologies of local government, the conservancy of public space also faces the challenge of privatization reform as other government-owned agencies would, particularly while public space is a type of real property in the existing real estate market. The advocacy of

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<sup>4</sup> 545 U.S. 469 (2005)

privatization in public affairs would be easily transplanted to the field of public space management. In the perspective of privatization supporters, the blight of downtown areas and public space would not be the reason for further public investment and stimulation. In contrast, the blight itself would be interpreted as the failure of governmental planning and public ownership, rather than of the private market. In this vein, the figure of governmental-owned public space is associated with financial deficit and poor public space maintenance. Then, privatizing public space is a supposed approach for downtown revitalization through attracting people by the high-quality private management and investment.

In this regard, the relation between property transfer and redevelopment is complex. Both the public and the private ownership could be used to interpret the reason of downtown blight, while both could likewise be assumed to be the solution. Public spaces under the same type of property ownership could mean different social realities. Thus, reducing the mechanism of public space property transfer into a simple and formal format is almost impossible or doomed to be oversimplified. Both public and private ownership could be a positive force to create an inviting space or be a negative force to exclude impoverished groups. The property ownership cannot be a direct normative standard (for the case of publicly-owned inviting space, see Madanipour, 2003; for the case of privately-owned inviting space, see Madden, 2010; for the case of abusing eminent domain power/public ownership in redevelopment, see Greenhut, 2004; for the case of public space privatization undermining public life, see Kohn, 2004). Rather, the

meaning of a public space integrally depends on its social contexts, that is the Space and Time in Lefebvrian urban theories.

However, the mainstream analyses have insufficient examination of the social contexts in an integral way. This does not mean that the existing studies do not realize the significance of space or the history of property transfer. In contrast, current public space studies frequently discuss historical cases of public spaces. The key point here is how to understand a space as an evolving integral social reality and how to present the complexity of property transfer. There are two assumptions that usually lead to the metaphorical understanding of property ownership, although they might appear in the studies that apply Lefebvre's theories.

First, reducing a space and its social contexts to a location; this assumption has a long history and great influence in urban studies. From its inception, urban studies have attempted to understand the form of city, such as central place theory (Christaller, 1966), bid rent theory (Alonso, 1964), and Von Thünen's (2009) land use model. In these studies, space is almost synonymous with location. They focus on what types of facilities are located where. Because this theoretical tradition is very influential in urban studies, when Marxist urban scholars apply space in their analyses of urban redevelopment, some of them also inherit this theoretical assumption: the city is understood as a growth machine driven by the power of capital. Different uses of land are competing with each other. Eventually, the more profitable use will size the land and locate according to the equilibrium between land rent and profit (MacLeod, 2002; Spitzer & Scull, 1977; Logan & Molotch, 2007).

Neil Smith's (1979) influential work "Toward a theory of gentrification" and his "revanchist city" theory (1996) are typical examples of this perspective. Smith (1979) notes that the downtown redevelopment is not promoted by consumers' preference, such as people's appreciation of urban culture, the low cost of commute, or cheaper old houses of downtown. Rather, based on the uneven capitalist development and the capital depreciation in the inner city, the land rent curve of the inner city would have a gap because the inner city has insufficient capital investment. Then, according to the bid rent theory, while the land rent of a specific location in downtown is lower than its potential price, the redevelopment would probably happen. Private funds would invest in the particular areas and increase the land price to the supposed equilibrium level in the bid rent curve. Then, the rent gap between the previous land price and the price after redevelopment would be the profit of the redevelopment investment. In this cycle, the rationality of investment in the real estate promotes the changes of the city. Or as Smith's (1979) title said, "a back to the city movement" is "by capital, not by people."

The assumption of capital-driven gentrification further creates the theory of the "revanchist city" (Smith, 1996): public space redevelopment is a capital-driven movement, which considers the downtown areas as "the urban new frontier." As Smith (1996) presents in the case of Tompkins Square Park, in the plan of redevelopment, the working class and homeless people who previously used the public space are understood as a part of the physical environments, similar to Native American people in the Wild West. In this downtown revitalization process, the park was redeveloped for a more

profitable use and “returned” to the users who can pay more for the new urban lives and use the park in the “better” way.

To some extent, there is a paradox: on the one hand, Smith and other urban scholars criticize the “annihilation of space by time” in orthodox Marxist theories, such as reducing value to the minimum time spent and assuming exchange would overcome all spatial barriers (Smith, 1984). These scholars emphasize the significance of space and the geographical implication because social interactions that occur in different places might create different meanings. However, on the other hand, when the meaning of a space is reduced to location, the social contexts of the space are also annihilated. For example, in Smith’s (1996) case of Tompkins Square Park, the regulation practice and policing are simplified as the representatives of capitalist force without the examination of the policemen’s own thought and experience: because the real estate capital needs this park for its profitable redevelopment project, the police thus come and expel working class and homeless people from the park. In this description of the park history, policemen become a mechanical part of a capitalist machine. The everyday practice, experience, and perception of police in the space are absent. Thus, while Smith criticizes the policy makers of the park redevelopment for understanding homeless people in the downtown park as a physical part of an urban frontier, in his case analysis, policemen and the daily regulation practice are treated in the same way.

More importantly, because space is reduced into location, the space is no longer integral or a whole social reality. In contrast, the reduction changes space into a variable, rather than the ontology. Without the contexts of the regulation practice and its associated



norms and perception, the evolution of the space and the process of the spatial distortion and reproduction would be absent. Then, the meaning of a space would be theoretically fixed, though the analysis might apply Lefebvre's urban theories of city rights.

Second, the ideologies of public space planning are assumed to be universal or stable, albeit planning purposes of public spaces could be very diverse. In public space, the norms of public space are usually the core of the analysis because the identification of spatial norms would directly influence the analysis of the spatial publicness. Thus, numerous public space theories delve into the normative analysis of public space, such as Zukin's (2010) analysis of the spatial authenticity, Harvey's (1992) and Jacob's (1961) analyses of social integration. In these studies, scholars attempt to understand the significant social values and functions of public space and then evaluate the publicness/authenticity of the particular public spaces in their individual studies.

An important question is what the norms of public space should be. In most cases, the norms of public space come from scholars' own belief and their observations of the public spaces. For example, Zukin's (2010) description of "a timeless ideal of authentic public space that is free, democratic, and open to all" (p. 30) is a typical example of these normative beliefs. Scholars might have diverse beliefs and observations of public space. However, in their case analyses, these norms are usually taken for granted and supposed to be universal features of a good public space across different periods of history.

However, the belief of "timeless" spatial norms, to some extent, contradicts with the spatial dialectic in Lefebvre's Marxist philosophy. History is not only a backdrop of a story it is an evolving process promoted by continual contradictions. That is, the norms of

public space are continually changing and dynamic. However, the dynamic of spatial norms is usually absent in current studies:

First, the existing uses of a space are usually identified as a normative use, while the existing users would be the legitimized users. This identification implies a simple idea of “first-come, first-served”: the one who first came and occupied a space would morally claim the right to the space. Then, this implication forms a tricky phenomenon: the normative analysis of the same space, to some extent, depends on when the story begins. Take Tompkins Square Park as an example; in Smith’s analysis, the homeless people are the existing users of the Park at the beginning of the story. Then, the story of redevelopment is related to the real estate capital driving homeless people away from the park and taking their spaces. However, with regard to the same Tompkins Square Park, homeless people’s uses become the symbol of the “bad old day” in Zukin’s (2010) case, while her analysis focuses on the privatized park management during a different period of the history (p. 145), albeit both Smith and Zukin more or less apply Lefebvre’s theories.

Second, the diversity and dynamics of planning ideologies are usually overlooked in public space studies. This oversight implies that public spaces would have similar goals and functions and thus could be evaluated under similar normative standards, that is, “the timeless ideal.” However, urban planning is destined to be normatively diverse. In essence, urban planning is a field that focuses on the future, which cannot yet be experienced. In other words, planning is a type of expectation about what a space supposes to be. The description of a supposed future will naturally be normative, rather than objective. Thus, the social perception of the future and the planning ideologies are as

important as the status quo of a space. Public spaces might have similar physical features. However, the question of why we should have a particular public space or what a good public space should be does not have a universal answer.

In this regard, we should not fix the norms and social perceptions of a public space. Public space is a social reality created by the people. Thus, it responds to the specific ideologies in a society. The examination of its quality or authenticity (Zukin's term) should not depart from the planning ideologies in the specific period. The purpose of a public space is much more complex than "a timeless ideal." Public space with similar features might have diverse planning purposes. These purposes might be exalting "absolute place (the soil, the fatherland)" as in Fascist planning, appraising human life as in Marxist planning, propagandizing the discourse of state, or increasing the sale taxes of surrounding businesses (Harvey, 1985, p.20; Drummond, 2000; Smith, 1979). As Waldo (1948) points out, without clarifying the goal of an administrative activity, examining whether the administration is efficient is impossible. Similarly, without reviewing the goals of public space planning, we cannot identify whether this public space is authentic. After all, not all societies or eras in history appreciate the spatial features of free uses, democratic management, or inclusion. We should not take the currently dominated values of public space for granted when we review the history. In contrast, we should examine how these values are evolved and raised in terms of a public space. A historical study does not merely describe the historical background of a case. More importantly, it should represent the dynamic process of the spatial evolution. In the next chapter, this

dissertation further clarifies the research questions and how the answers to these questions fill the theoretical gap in the existing literature.

## CHAPTER 5

### METHODOLOGY

This chapter clarifies the methodology for this dissertation: Lefebvre's (1991; 2002) theories of interpreting the meaning of a space and Pierson's theories of "politics in time" (2000; 2004; 2005). While capital gradually breaks through the constraint of space and reduces time into economic units (e.g. the concept of labor time), the interpretation of modern cities and urban social process increasingly relies upon economic rationality (Harvey, 1989, 2006). After being reduced into economic units, the characteristics of space and time are merely backdrops of economic interpretation. In other words, space and time become indifferent factors that are insignificant in the logic of modern capitalism. However, Lefebvre (1991) inspiringly criticizes the stance that merely takes space as a locus. While a physical space provides the material basis for urban activists, the meaning of a space, or the social space, is a social product of urban processes. Space is not an independent material reality existing in itself. Rather, it is a social reality that is comprehensively produced. This is the fundamental thesis of the methodology in this dissertation. The meaning of a space is produced, rather than objectively derived from its physical or ecological features.

In addition, social space and social time are two related and significant aspects of spatial production. Social space represents the synchronic structure of the social relations, while social time stands for the diachronic evolution of spatial production (Goonewardena, et al., 2009). Space is continually being produced and reproduced. Through this urban process, the meaning of a space will eventually emerge by

comprehensively integrating people's imagination, sensitivity, ideologies, everyday practice and interaction. In this vein, social space and social time are not absolutely objective (e.g. physical space) or subjective (e.g. economic units). As Schmid (2009) illuminates, "central to Lefebvre's materialist theory are human beings in their corporeality and sensuousness, with their sensitivity and imagination, their thinking and their ideologies; human beings who enter into relationships with each other through their activity and practice" (p.29).

More importantly, because the meaning of a space is produced by social space and social time and does not exist independently, a space should neither be merely understood by its physical or ecological features, nor be reduced to formalized units in indifferent curves. The meaning of a space is tightly associated with its contexts of specific social space and time. The analysis of a space could not be formalized by depriving social contexts. In this vein, the existence of space is integral through the urban process of a specific society. Space itself, rather than physical features of space, becomes a crucial social reality in terms of Lefebvre's ontology.

This dissertation employs Lefebvre's methodology in the specific research of public space property transfer. Following the methodological principles of social space and time, this chapter will 1) explain the underlying assumptions and philosophical foundations of methodology; 2) the methodological framework of spatial analysis and its specific application in the fields of public space studies; 3) the methodology of social time and its ties to Paul Pierson's (2005) approach of "politics in time."

### **Philosophical Assumptions of Lefebvre's Methodology**

The core of the methodology in Lefebvre's spatial analysis is distinguishing space with social contexts from geometric, geographic, or economic space. To understand the meaning of a space, social contexts are necessary because the same physical place or facility in different social contexts would mean different spaces. The Great Wall in China as a public park today is different from the same wall as a defensive work last used in World War II. The geometric and physical features of a space are not sufficient to define the meaning of a space. Whether the Great Wall is a park or a fortification depends on how people use it, understand it, and define its role in urban planning.

This methodology challenges the ecological materialism in urban studies. As Wirth (1938) presents, the ecological school of urban studies assumes that people's activities and feelings are derived from the ecological features of the space. People within the space would unintentionally and gradually adapt their activities to the ecological features and develop corresponding urban subcultures. This underlying assumption is influential in urban public space studies. People's social activities are usually assumed to be the result of the space, rather than the reason. For example, the open space that allows free access is assumed to be the reason of social integration because people will gradually become familiar with others who look different (Young, 1990). Thus, the more a space is physically open and accessible, the more public the space is (Carmona, et al., 2008; Madanipour, 2010). Following this assumption, if an academic study considers the activities and feeling of the space users (e.g. social integration) as the result of the spatial features (e.g. openness), it *de facto* excludes people's activities from the causal factors that produce the space. It is a basic logical principle that a supposed result cannot exist

before its reason. Social contexts would be insignificant to the production of a space if they were the result of the ecological features.

In contrast to the methodology of the ecological school, Lefebvre (1991) criticizes that “nothing can be taken for granted in space, because what are involved are real or possible acts, and not mental states or more or less well-told stories. In produced space, acts reproduce ‘meanings’ even if no ‘one’ gives an account of them” (p.144). This critique illuminates two significant theses of Lefebvre’s methodology in space analysis.

First, people, the human beings related to a space, create the space and its meaning. The geometric and physical features do not automatically create space. Thus, space is produced, rather than independently existing. Merely relying upon the ecological features has the risk of distorting the meaning of space. A space should not be oversimplified as a fixed outcome of physical features.

Second, people’s acts, including their underlying sensitivity, imagination, and ideologies, are social reality. They might not be physical or determined by physical features. However, this does not mean that people’s acts are arbitrary or mental. People’s acts are a unified and social reality that exists in the society but cannot be measured or defined by a physical spatial scale. In other words, people’s acts and the produced space are examinable and understandable, but not in a mathematical or physical way.

In this vein, Lefebvre’s methodology challenges both orthodox materialism and agnosticism. Space is more complex than its geometric and physical features. The insistence on the primacy of physical conditions for the formation of consciousness is insufficient to interpret the production of space. However, the social relations related to a



space are not mental; instead, the social relations related to a space are the existing social reality with its material basis. Social relations and their material basis are mutually produced before forming the existing space. Therefore, space, as an integral whole with its social contexts, should be the basic unit of analysis.

Another philosophical foundation of Lefebvre's methodology is the dialectic of spatial analysis<sup>5</sup>. Generally, the dialectic emphasizes that social reality is constantly produced and reproduced by contradictions. The interactions between contradictions overcome the previous contradictions, but the resolution of the previous contradiction bears new contradictions. Thus, the old contradictions are "transcended" into a new form of contradictions at a higher level and promote the evolution of social reality and human history.

Therefore, relations among multiple sides of contradictions and the process of their interaction are extremely important. Dialectic fundamentally opposes the principle of formal logic that "no proposition can simultaneously both be true and false;" rather, "if we consider the content, if there is a content, an isolated proposition is neither true nor false; every isolated proposition must be transcended; every proposition with a real content is both true and false, true if it is transcended, false if it is asserted as absolute" (Lefebvre, 1968, p.42). The production of space or any other social reality with real content is a continual and historical process ("movement") rather than a fixed outcome (p.36). The understanding of dialectic is only possible through historical and dynamic interpretation of social evolution. Because the so-called "truth" dynamically lies in the

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<sup>5</sup> The term "dialectic" only refers to its meaning in Lefebvre's philosophy. See the different definitions of the term "dialectic" among Lefebvre, Marx, Hegel, and Nietzsche's philosophy in *Henri Lefebvre's Theory of the Production of Space* (Schmid, 2009)

continual contradictions between the negation and the conservation, social reality is a “realization,” a process of becoming, rather than a static “real” (p.36).

### **Theoretical Framework of Public Space Property Transfer**

Based on the special materialism and dialectic of Lefebvre’s philosophy, the analysis of space is specified into three dimensions, which form the theoretical framework of the analysis in this dissertation. A space consists of “representations of space”, “spatial practice”, and “representational spaces,” all of which have more specific meanings in the studies of public space property. All three dimensions dialectically introduce the real meanings into a space within a society.

First, “representations of space” (the planning ideologies);

“Representations of space” manifest the ideologies of a plan, usually in maps, plans, or proposals (Lefebvre, 1991, p.116). A space in society cannot be produced without having been conceived in thought previously, although the meaning of space will evolve or change (Schmid, 2009, p. 39). Even with regard to a pure natural geography, the social meaning of the space still comes after the thought of the space in society. For example, regarding the conflicts over the natural rock Devil’s Tower, Native American communities consider it sacred, while rock climbers take it as a climbing site (Dussias, 2000). The planning ideologies introduce the social meaning to a space and are a link between planning knowledge and the physical space (Lefebvre, 2000, p.97). The conceptualized perception and perspectives promoted by urban planners, designers, or policy makers legitimize the meaning and even the existence of a space, namely, the

“space in plan.” Then, urban planning forms the conceptual system and legitimacy of spatial development (Lefebvre, 1991, p.36).

In the field of public space privatization, “representations of space” means the planning ideologies that legitimize the property transfer and public space redevelopment plans (Mitchell, 2003, p.128-130). Regardless of privatization or publicization, property transfer would not occur without a purpose. Through legitimizing the appropriate ownership of public space, redevelopment plans should construct a formal discourse system of the conceived advantages of a certain property ownership and the logic for solving the assumed problems of existing space. In this dissertation, the discourses of formal redevelopment plans that legitimize public space are summarized as “planning ideologies.” These ideologies of plans define the formal reasons, logic, challenges, and supposed benefits of redevelopment. They represent the “geographical imagination” of the state toward public space (Harvey, 1985, p.200-206) and construct the “representations of space.”

Second, “spatial practice” (regulation and maintenance);

“Spatial practice” is the routines of everyday practices, which is the “terrain in which power is reified, manipulated, and contested” through the continual production of space (Springer, 2011, p.544). These practices continually mediate between the ideologies of conceived plans and individual experiences (Lefebvre, 1991, p.38-40). Practice is not only an activity itself but also an integral material dimension of perceived elements that constitute a space. For example, an appropriate spatial regulation or policing transfers a physical “open” place to a perceived “accessible” or “inviting” space.

People's interaction and social practice in everyday life shape the practical meaning of the space. In this vein, spatial practice is the "experiential deciphering of space" (Lefebvre, 1991, p.38).

With regard to public space privatization, spatial practice is tightly associated with spatial regulation and maintenance (cf. McCann, 1999). Private property rights are directly related to exclusion, which has an impact on the basis of public space. Thus, spatial regulation and maintenance identify who can use the public space under what conditions, restrict the rights to the city (Lefebvre, 2000; Mitchell, 2003), and shape the production of public space (Light & Smith, 1998). More importantly, regulation and maintenance of public space are a comprehensive practice, which is rooted in the didactic contradictions between different groups of space users. Although encouraging as many people as possible to use the space is a common principle of public space (Shepard & Smithsimon, 2011), it does not mean that minimum restriction of access is always good because a space that is out of control would also exclude some groups of people (Merrifield, 1996, p.62). Therefore, understanding the regulation and maintenance of public space is a significant dimension for manifesting the dialectic of social practice in public space.

Third, "representational spaces" (the norms of public space in social perception);

"Representational spaces" is people's "thought" that identifies a space. It concerns the symbolic dimension of space, rather than the space itself. It is people's knowledge of life experience that is not exhausted, expressed, or analyzed in the formal plans or in the dominating planning theories (cf. Schmid, 2009, p. 37, 40). Space users'

perception and understanding of a space are not necessarily the same as the anticipations of planners or designers (Staeheli & Mitchell, 2008, p.119). The spatial norms perceived and supported by users' perception is space-in-use (Mitchell, 1995, p.115).

In terms of public space privatization, identifying the spatial norms is directly associated with people's perception of an ideal public space. In other words, the core of "representational spaces" is people's perception about what a public space should be and how a public space should be used. This discourse forms the intellectual basis of the spatial competition among different groups and the property transfer of public space in a society (Smith, 1996). The production of a public space is "not merely a right of access to what already exists, but a right to change it after our heart's desire" (Harvey, 2003, p.939). Thus, understanding people's desire toward public space is a necessary dimension for the interpretation of public space property transfer.

This dissertation illuminates how different dimensions of spatial contradictions (e.g., planning ideology, practices and social perceptions) promote the evolution of space. In this research, the contradictions usually occurred during attempts to reshape the park. While some people attempted to keep the park aligned with its official plan, others used or understood the park in a different way. These contradictions were not personal, but rather structural and derived from their historical contexts. In other words, this dissertation focuses on the contradictions between planning ideology, practices, and perceptions, rather than the tensions between groups of people, albeit planning ideology was usually represented by the discourses and actions of city officials and planners.

### **Evolution of Urban Policies over Time**

The interpretation of space is in fact the analysis of a becoming process, rather than causal relations in formal logics. Thus, time, the history of the becoming process, is also extremely significant for interpreting the production of a space because the process of becoming will never end at a specific moment, according to Lefebvre's methodology.

Specifically, the process of becoming is not only a timeline that eventually occurred, but it also includes uncertainties. The historical process of space cannot be sufficiently manifested by its final forms at several moments in time. In spatial analysis, time is beyond the definitions of mathematicians and physicists. Rather, time represents "the accomplished, the foreseen, the uncertain and the unforeseeable" within a space (Lefebvre, 2002, p.231).

The history of a space does not only mean recording the dramatic events over times or drawing "certain outlines for bringing what is empirically real" between effective actions and the results of events (Lefebvre, 2002, p.130). The analysis of spatial history attempts to illuminate where and upon what the history influences the transformation of everyday life. In so doing, the continuity and discontinuity of a space are connected. As Harvey (2005) points out, "history and geography cannot be separated. All geography is historical geography, and all history is geographical history" (p.13).

In this vein, the cumulative effects within the historical contexts are significant to a space's evolution. Properties are not merely names on titles and related legal rights. The exact meanings of property rely upon the associated historical contexts. The methodology of the "politics in time" (Pierson, 2000; 2004; 2005) provided a practical approach to understand the historical evolution: In contrast with mechanically organizing dramatic

historical events as isolated cases in a timeline, Pierson's methodology focuses on the cumulative effects of tiny changes in routine and illuminates the long term logic that associates multiple dramatic events together. Thus, Pierson's methodology of history study is appropriate for illuminating a space as a "becoming process."

Specifically, this dissertation follows two important methodological logics of Pierson: first, a "moving picture" rather than a "snapshot" can better present the process and underlying logics of public affairs. Placing the analysis of a public affair in a time dimension is necessary in understanding its logic. The processes through which the administrative practices take shape and the ways in which they either endure or change in constantly shifting social environments are crucial for interpreting the long-term consequences, particularly regarding the effects of urban planning (Pierson, 2005, p.43).

Second, the "present" to some extent is influenced by the "past," rather than merely on the current choices of administrative actors. As Tilly (1984) points out, "when things happen within a sequence affect how they happen"(p.14). Thus, answering how questions rely on understanding the timing and sequence of related events. The policy decisions at a given point in time constrain alternative policies at later points in time (Tilly, 1984, p.14).

In this vein, a public space redevelopment project should not be considered as a one-time-construction but as a continuing development of a space. The logic of property transfer emerges in the evolution of the space in historical flow. The description of a space and associated events at a time would merely be a "snapshot." However, the examination of the life cycle produces a "moving picture" of the space. In other words,

we should not assert the natures of property transfer by a one-time observation of a case. In contrast, the long-term history of a case should be examined. Then, the tiny changes in time will accumulate and expose the deeper effects of property transfer.

In addition, the methodological logics of the “politics in time” approach are put into practice through Lefebvre’s (1991) theory of space production. This dissertation examines public space by following Lefebvre’s (1991) framework. The production of a space is not only about the material space. A space should consist of the history of ideologies (Lefebvre, 1991, p. 116), the spatial practice of a society (p. 38), and the “thought” dominating the space (p. 135). Based on this framework, all these dimensions are identified within the particular threads of history. Even the same physical space could have different meaning in different periods. For instance, the Great Wall used as a park is different from the same physical wall as a military facility. All three dimensions introduce the real meanings into a space within a society. This framework is the foundational guideline in this dissertation for understanding the changes of a space.

#### **“Politics in time” approach.**

Why does the history of public affairs matter? As current public administration affects our lives more directly and intensively, why should we study the past, rather than the present? These are frequent questions regarding placing the analysis of public affairs in time. To a large extent, the term “history” could mean two points of view: Conventionally, “history” could mean the specific record at a given point in time. However, in the study of public policy and administration, “history” means the observation of the evolution and constant development of public affairs. Systematically



examining public affairs to some extent relies upon unfolding the social processes over considerable periods of time (Pierson, 2005). The history of public affairs is not a series of separated collections in a museum. In contrast, depriving the influence of the past action from current administrative practice is almost impossible. Thus, the analysis of history is not only for recording the past events. More importantly, it is for clarifying the social process, pushing forward people's understanding beyond the limit of time, and even offering a more persuasive guideline for policy makers (Graham, 1993).

**From “snapshot” to “moving picture” view.**

The “snapshot” view could occur in both qualitative and quantitative studies. For example, in many qualitative case studies, the analysis of the cases focuses on the dramatic events and the choices and activities of several important actors. Within public space studies, the dramatic events are usually the spatial privatization, gentrification, or exclusion of specific groups of people. In these cases, the dramatic events are derived from the competition for the space. The competitors automatically become the key actors in the case. Then, the analysis of the case usually relies on interpreting the logic of diverse actors' activities.

However, concentrating on the dramatic events of competition has the risk of overlooking the evolution or changes that occur as a consequence of routines about the use of space. As Derthick (1979) illuminates, the absence of conflict does not signify the absence of change. The not-so-exciting routines, “though it may not be interesting to analysts at a given moment, is cumulatively very important” (p.9). History is not merely the unnecessary backdrop or background information of a case. Rather, the process of

evolution is significant to the validity of a qualitative interpretation. A “snapshot” qualitative study might miss significant variables or elements of a real story.

With regard to quantitative study, the “snapshot” view leads to two types of public space studies: evaluating a public space affair by data collected at a given moment, and using the analytic tools of microeconomics or game theory, which “focuses on the ‘moves’ of particular ‘actors’ at a moment in time” (Pierson, 2005, p.34). In the quantitative study that follows a “snapshot” view, the core concern is determining the “variables” that significantly generate the final outcome. These studies are important for simplifying the relationship and contribution of diverse social factors. However, the time dimension is still necessary for a social science study. The taste of the same ingredients would be obviously different if they were cooked in different order, time, or combination. Similarly, the same “variables” in different historical contexts might lead to opposing outcomes, particularly if we consider the complex social dynamics. In other words, without the historical contexts, we might miss the necessary information to understand how “variables” contribute to the outcomes. If the same “variables” cannot produce the same outcomes, the reliability of the theory building might be challenged.

In contrast to a “snapshot” view, the approach of “moving pictures” has two fundamental principles. First, the sequence of events determines the social process and the related outcome. No choices are made without contexts or practical restriction. Urban planning and policies are always based on the past decisions. Developments should consider the status quo created by the previous developments. Similarly, the current planning policy will provide positive feedback to the following policies and lock the

evolution of policy into some given trajectories. Because of the existing conditions, the cost of switching to another trajectory is usually unacceptable or uneconomic. Thus, whether a policy is a rational choice depends on its historical contexts and the past policies. Some alternative plans might be options in name, but not in fact, according to the practical conditions (Pierson, 2000). Therefore, the sequence of related historical events cannot be ignored or changed. Clarifying the influences from each step to the next step is crucial to the analysis.

Second, routines and tiny changes matter. Because social processes unfold over time and have specific temporal dimensions, the routines of spatial management that seem to be stable are usually dynamic in the historical view. More importantly, the tiny and slow changes present the self-reinforcing process of underlying trajectories. The approach of “moving pictures” does not consider the periods between dramatic events as the time of “equilibrium.” In contrast, the tiny changes and routines without dramatic events are the grains of sand that eventually form a heap of sand. In this regard, if a study only selects several dramatic moments in a long period of history, it is still a “snapshot” view, regardless of the time span between each selected moment. The approach of “moving pictures” implements the analysis of routines and tiny changes in everyday practices and emphasizes the ties between the routines and the final dramatic events. All these routines collectively illuminate a continuous trajectory, which presents the “moving picture” of the policy evolution.

**From “actor-centered functionalist” to historical interpretation.**

Changing “actor-centered functionalist” to historical interpretation is another methodological principle of “politics in time” (Pierson, 2004, p.105). The term “actor-centered functionalism” refers to the underlying assumption that the existence of X (it could be a policy, an institution, or a space) is due to its function Y to the key actor Z. Function Y is assumed to be a necessary condition for X’s existence (ibid, p.44-46). Then, interpreting functions becomes an important approach for exposing the underlying relationship between space and people.

However, “actor-centered functionalism” to a large degree implies that actors’ choices and activities are rational for achieving anticipated outcomes. However, in fact, outcomes do not always appear immediately after the activities. Between the appearance of a key causal factor and the occurrence of its outcome, social processes might involve considerable time lags. The final outcomes are not always directly associated with the original activities at the moment of researchers’ observation. Rather, the final outcomes might be derived from a long “causal chain,” in which a key event leads to an ordered sequence of events in the chain. Even if the actors are able to anticipate the process of the whole chain reaction in society, this process might still need some time to work itself out (Pierson, 2005, p.41). Particularly in urban planning, the outcomes of an urban redevelopment might emerge after many years of the redevelopment. Merely focusing on the immediate effects at a specific moment might result in misinterpreting the social processes.

In addition, the consequences of planning and urban policy are usually unintended. Planners or policy makers always work with high uncertainty. They might be wrong,

misled, or forced to compromise. Especially, we should admit that at least some outcomes are by-products of the underlying social trajectory beyond urban planners' expectation. For example, it is probably not fair to blame planners and mayors in the national urban renewal movement for intentionally starting a racist campaign of "black removal" because many of them purely hoped to revitalize downtown areas (Levy, 2000). The existence of segregation after urban renewal was a highly complex result of the whole social institution and American urban system (Dreier, et al., 2004). Some groups of people benefitted from urban renewals. However, merely summarizing urban renewal as a self-benefiting strategy oversimplifies the complex causes of segregation. Thus, if interpretation is always based on a supposed function, it might lead to conspiracy theories or confusing cause and effect.

Based on the understanding of time lag and the uncertainty of public affairs, historical interpretation has three characteristics: first, it takes the historical trajectory, rather than "rational actors" as the center of the analysis. Historical interpretation emphasizes the existence of historical "stickiness" rather than "functions." The observed outcomes today might be rooted in the past several decades beyond any specific actor's rational choices or demands. This does not mean that the decisions and actions of political actors are not significant. The changes of mayors, council members, and other important leaders in a city government will definitely influence urban planning and management. However, the accumulation of short time changes will create the trend of the long-term trajectory, which cannot be simply attributed to any policy maker's individual decision.

Second, the interpreted logic should exist throughout a relatively long period. Historical interpretation focuses on historical logic within social process. The summarized logic could not be a temporary phenomenon. Rather, it should be valid and constantly emerge throughout different periods. In so doing, the changes of political climates and other urban conditions over a long period examine the interpretation.

Third, the interpretation should explain the evolution from “invisible” to “visible” changes. The summarized logic should be able to connect routines and the dramatic changes and explain how the cumulative outcomes and their slow-moving qualities promote the social process of public affairs. The significance of everyday life and practice is the methodological basis. Historical interpretation requires research to present the evolution of urban process rather than mechanically list the dramatic changes in the timeline of a space.

## CHAPTER 6

### METHODS

#### **Case Description and Selection**

The case in this dissertation is the 30-year history of Patriots Park in Phoenix, AZ. In contrast to considering the urban redevelopment projects as several separate cases, this dissertation employs an historical view and takes into account the history of Patriots Park, from the first opening of the park in 1976 to the demolition in 2007, as a whole case. The evolution of the “routines” within the park is as important as the physical developments of the park.

Through the life and death of Patriots Park, property ownership played a significant role. In the 1970s and 1980s, Patriots Park was an important symbol of downtown redevelopment. Similar to many other American metropolises, the city of Phoenix suffered from the hollowing out of its downtown in the 1960s and 1970s. In 1965 Mayor Milton Graham promoted a great redevelopment plan to revitalize downtown Phoenix based on the mentality of “we don’t want to be another Los Angeles” (Gober, 2006). The development of Patriots Park was a significant project in this plan.

Based on the downtown redevelopment plan in 1960s to 1980s, blighted downtown Phoenix was considered as the automatic result of market-oriented competition between downtown and suburban areas. This perspective supposes a vicious cycle: if private properties continually offered low-priced accommodations and amenities to poor people, the attraction of “undesired” groups would intensify the hollowing out of Phoenix downtown. Thus, the building of Patriots Park was expected to “get rid of the

pawnshop atmosphere for a whole city block of blight” by publicizing the center of downtown Phoenix (VanderMeer, 2010, p.273). As Jim Forsberg, the former downtown-redevelopment director, explained, “Central Phoenix has been a failure of the private sector and, therefore, needs government intervention and assistance...” (Shanahan, 1984a, p.A1).

However, Patriots Park did not exactly revitalize downtown Phoenix as planned. For example, as early as 1979, the third year of Patriots Park, Arizona Republic (Crooks, 1979) reported that the park was a dangerous place and full of homeless people who took baths in the fountain. By 1981, the fountain was dry (Hille, 1981). Also in the same year, only the fifth year of Patriots Park, this new park was referred to as an example of “civic blight” (Editorial, 1981). In 1982, the police department requested that the Parks and Recreation Board close Patriots Park because officers had to move homeless people out of the park two or three times a day (Manson, 1982).

Although in the first two decades, the city government of Phoenix constantly invested in the park through activities such as redesigning the park, building an underground garage, and installing laser beam equipment, Patriots Park was still a downtown “blighted” areas that was merely used by homeless people. To many people, the park became an unrepaired “eye sore.”

Beginning in 2004, Mayor Phil Gordon focused heavily on downtown redevelopment and advocated redeveloping Patriots Park. This time, privatization became the plan for improving this blighted area. Supporters advocated the redevelopment through privatization as a way to infuse private investment into downtown Phoenix,



upgrade the expensive but ineffective management of city government, and make the space inviting (MacEachern, 2007). Based on this redevelopment perspective, Patriots Park was eventually replaced by a mixed-use development consisting of residential, retail, office, restaurants and hotel components.

In its thirty years history, Patriots Park experienced the property transfer from private to public, then from public to private, as well as three designs. However, all these designs were distorted by people's real spatial practice and perception. Although the applied planning theories were changed and the meaning of public space ownership was re-identified, Patriots Park remained a downtown "blighted" area with intensive investment and intellectual designs. This case is an outstanding window to examine how the real public space was evolving beyond the official plans and explore the new factors that determine the production of a public space.

Generally, the case of Patriots Park has three prominent advantages for clarifying the underlying logic of property transfer in public space redevelopment. First, this case has a full process of property transfer from private to public ownership, then from public back to private ownership. Thus, this case can reveal both types of property transfer in the same place responding to similar urban problems. This specificity greatly controls other possible influences on the comparison of property transfer. In addition, presenting both types of property transfer in one case reduces the risk of taking public or private ownership as the final correct answer. The continual urban problems suggest that neither private nor public ownership is a panacea. Both public and private ownership are treated the same in this case. They both need to be carefully examined beyond metaphorical

understanding, such as simply labelling private ownership as being exclusive/effective or public ownership as being ineffective/inviting.

Second, plenty of archives and documents are sufficient to support a historicized study of the property transfer in this case. The redevelopments and planning of Patriots Park continued for over 30 years. This presents the continuous evolution of the same space. The ideologies and theories of urban planning are not stable. The principles that once were taken for granted by almost the whole society might be considered ridiculous or seriously criticized in another period. Thanks to the diverse types of historical records, this case is able to reveal how different ideologies rationalize and shape the redevelopment policies beyond the intellectual limitation of a specific era.

Third, the redevelopments were widely discussed in the society by ordinary residents of Phoenix. Collecting ordinary people's perspectives in the history is not easy. Even the same person might not be able to keep or express his or her previous ideas after 10 years. If a redevelopment project is not controversial enough to be a widely-discussed topic, ordinary people's perspectives might be buried in history easily. However, the case of Patriots Park has been a controversial topic from its first plan. The published debates, the minutes of public hearings, and the residents' feedback to newspapers or public sectors around this project offer rich data to examine people's imagination about what exactly is a good public space. In other words, the wide discussions about Patriots Park make examining ordinary people's perspectives possible.

### **Qualitative Case Study**

This dissertation employs a qualitative case study as a historical research method. This dissertation problematizes the logical deduction that property transfer automatically leads to social problems and emphasizes the significance of the historical conditions of specific cases. In other words, examining the truth or falseness of the relationship between general property transfer of public space and social problems is almost impossible because specific private owners might have different strategies creating opposing business cases. In contrast, interpreting “why” and “how” is very significant for understanding the rationales of property transfer, the related changes in practice, and people’s perspectives, which are the foundation for pushing the boundaries of public space studies (Feagin, et al., 1991). As Yin (2009) notes, the qualitative case study is appropriate for exploring the contextual conditions under the superficial phenomena. Qualitative case studies analytically generalize theories rather than calculate frequencies. In other words, the contribution of a case study relies upon promoting the development of theories instead of describing the general situation of the whole population (Yin, 2009, p.15). By an in-depth understanding of the underlying logic of the phenomena in cases, this dissertation will lead to new knowledge to fill the current theoretical gap. Specially, this dissertation uses a single urban park as a case of public space. It examines the long term evolution of the space under the influence of property transfer rather than a one-time change. The findings of the dissertation are generalizable to theoretical propositions rather than to the populations of random sampling or universes. The main purpose is to fill the theoretical gap in current studies and develop a new framework to better understand the meaning of property to public space.

In addition, the case study in this dissertation is historical, rather than contemporary, because of the specific characteristics of the research subject, the property transfer of a public space. The gradual evolution of a public space usually occurs over a long time span. The process of a space's planning, construction, maintenance, and redevelopment might take over ten years. During this process and time, the planning ideas, the use of the space, and social perception might be change. Therefore, exploring the spatial evolution merely by the contemporary documents and materials is not sufficient. More importantly, a historical case study is the study of the relationships among issues that have influenced the past and continue to influence the present (Berg, 2009, p.297). The historical analysis is not simply the collection of facts, but more importantly a theoretical explanation, which still responds to the current theoretical thinking (Johnson & Christensen, 2007). By organizing and examining the historical documents, researchers can systematically recapture the complex nuances, meanings, and people's ideas of the past that have influenced the historical trajectory ( McDowell, 2002; Ormrod & Leedy, 2005). This type of recapture is significant for a case study related to planning.

Specifically, the case study in this dissertation has some specific characteristics: first, this dissertation considers a park's history over decades as an integral case. During this period, any planning attempt had to consider the previous planning and the fait accompli. By unfolding the historical phenomena within the park through examining documents from multiple sources, this dissertation investigates these historical phenomena within its once "real-life" context. Second, the units of analysis are collective

groups, such as the police, downtown business owners, city officials, and so on, rather than the specific individuals. Third, the case study of this dissertation is interpretative. It focuses on interpreting the underlying logic of historical decisions in order to illuminate the meaning of public space ownership.

In qualitative studies, coding is dynamic and should be adjusted repeatedly. Because this dissertation attempts to fill in the theoretical gap between property transfer and the related urban problems, the coding hierarchy is developed step by step following the logics of property transfer.

First, as for the questions about ideologies, the analysis of this dissertation focuses on exploring the dimensions of property transfer by comparing the interpretation of private and public ownerships between neoliberalist and the opposing ideologies. The first cycle coding follows the method of “topic coding” (Saldaña, 2013, p.87-91), and focuses on the initial categories, such as “existing urban problems,” “the assumed causes of the problems,” “the assumed natures of private/public property that would solve the problems.”

In this analytical section, this dissertation presents the foundational difference between neoliberalist and opposing ideologies that leads to opposing property transfer policies for the same problems. It will break through the oversimplified impression that privatization is always a natural reaction to certain problems, such as lack of public funding or governmental red tape. For the same urban problems, the interpretations of different ideologies can lead to opposing urban policies.

Further, this dissertation applies “causation coding” (Saldaña, 2013, p.163-174) to manifest the causation’s processes and structural accounts of rationalizing property transfer. This coding is appropriate for using qualitative analysis methods (Morrison, 2009, p.99). Although this analysis focuses on the discourse about causation, it still explains “how,” rather than “why.” The main concern is the causation’s processes, rather than the empirical correctness of ideologies. The discourse of causation still has its logic, structure and follows a specific process. This coding process summarizes the “antecedent variables”, “mediating variables”, “outcomes” in the discourses, and finally develops the major categories for the logical deduction and the causation model of different ideologies.

Second, as for the regulation practice, this dissertation explores the variables that are absent in current studies, but influence the policing and maintenance of redeveloped public space. The coding process focuses on the differences between theories and practices. The first cycle coding summarizes the contradictory assumptions related to policing and maintenance issues in property transfer of public space. These contradictory assumptions form the initial categories of coding. Because the property of Patriots Park has been transferred twice, the same space experienced blight and lacked regulation under both private and public ownership. Thus, this case can be studied in terms of the contradictory assumptions from both sides. By systematically examining the factors that drive the regulations departing from the plan, this dissertation further summarizes the initial variables that influence the relationship between property ownership and regulation. Then, this dissertation uses axial coding to conceptualize the new variables, which can explain the inconsistency of current theories.

Third, in terms of people's perspectives and desires, this dissertation applies "domain and taxonomic coding" (Saldaña, 2013, p.157-163) and clarifies the concepts that people use to interpret their experiences or feelings. At each level, the categories of terms are domains, while taxonomies are hierarchical lists of different things that are classified together under a domain concept. Thus, the norms of public space are a comprehensive conceptual structure rather than a general feature, such as integration or accessibility.

### **Data Source**

The data of this dissertation will be collected from four main sources:

First, public records, including governmental documents, such as the minutes of public hearings and other related documents; because the development and redevelopment of Patriots Park were discussed by the Parks and Recreation Board of Phoenix, the minutes of the board meeting as well as the archival documents of public hearings are important sources for understanding the opinions toward property transfer, particularly understanding the planning ideologies for improving Patriots Park as a public space, although a prominent shortcoming of these public records is that all expressions are generally summarized. In most of the minutes, we can only know people's concerns and attitudes without the details about how they rationalized their arguments. However, public records are still an important approach for widely understanding people's concerns about the development and redevelopment of Patriots Park.

Second, the essays from local mass media, such as Arizona Republic, Phoenix New Times and so on, as well as the comments and discussions online, such as the

discussion at the website Downtown Voice, and other related blogs and columns; compared to public records, essays from mass media contain more details, which usually include reasons, evidence, and analysis, rather than merely raise the concerns, or agreement or disagreement with the redevelopment plan. Therefore, mass media essays are deeper than public records. Through examining the rationales of the property transfer in redevelopment, this dissertation will examine the repeated contradictory arguments. The underlying logic of property transfer will emerge in the process of delving into the published arguments.

Third, the second-hand interviews, speech transcripts and cited essays in the studies of Phoenix local history, such as *Desert Visions and the Making of Phoenix, 1860-2009* (VanderMeer, 2010); the studies of local history provide more clues than their topics. They are the scattered pieces of a big puzzle.

Fourth, the transcripts of interviews and the public comments collected by interviewees, such as the staff of developers and the Arizona Preservation Foundation, the social activists, and the previous members of the Phoenix Park and Recreation Board; the interviews focus on providing more details of perspectives that are not included or discussed in the previous documents, particularly about the interpretations about the contradictory assumptions over property transfer in the case of Patriots Park.

All of these data are in the form of text, which were organized in Nvivo 10.



## CHAPTER 7

### PROLOGUE: THE DECLINE OF DOWNTOWN PHOENIX

This chapter analyzes the historical threads before the construction of Patriots Park, introduces the historical background, and describes the reason why Patriots Park was proposed as a downtown revitalization project.

To some extent, urban planning is a series of paradoxes: it seems to discuss the physical urban spaces, but it also describes an imagination of the intangible future. Urban planning usually covers a long-time span. The existing planning might represent the planning ideologies of the previous city leaders, but each term of mayors and city councils would still be able to reinterpret and implement planning. The planning project might be superficially stable, since the buildings and structures might last for a long time. However, the meaning of the space might be dynamic and frequently changed. In this vein, the analysis of any single planning issue is always associated with the broader situation of the city. The historical background of a city beyond the physical border of a focused parcel of land is necessary in the analysis of urban space.

In everyday discussion of local history, because mayors and the city councils have a direct influence on the urban policies, classifying downtown revitalization policies depending on the terms of different mayors is a common organization pattern. However, with regard to urban planning, the line between a mayor's own contribution and the political legacy of the previous mayors is usually blurred. We should not mechanically divide each city administration's planning and policies from each other. Rather, we

should realize that an already planned space has been gradually reinterpreted and evolved through the everyday tiny changes.

The history of Patriots Park is such a planning case. This park was first opened in the period of Mayor Hance's administration in 1976. This project has a hefty dose of the urban management policies of the Hance administration. However, oversimplifying the creation of Patriots Park as the result of Mayor Hance's urban policy is to a large extent inaccurate. At least as early as in 1957, approximately 19 years before Mayor Hance's term, the discussion and planning of block 77 (the location of the later Patriots Park) was publicly published (Lewis, 1957). Thus, to clarify the reason for building this downtown park, this review of Patriots Park's history should go back to the days before the park's grand opening.

Consistent with the histories of many other metropolises in the United States (Downtown), the city of Phoenix has also witnessed the decline of its downtown areas in its postwar days. Although scholars might have diverse interpretations of the reasons that led to the decline of downtown Phoenix, such as the relocation of the new shopping malls from downtown to midtown (Talton, 2015), the development of automobiles giving Phoenicians the mobility to live in the suburban areas (Russell, 1986, p.101-105), the "parking crisis" of downtown when more American families owned cars (VanderMeer, 2010, p.270), and the defense-related industry in Arizona that promoted new economic cores (Ross, 2011), etc., there is nearly consensus about the decline of the downtown from 1955 to 1985.

In this period, downtown areas of Phoenix lost their role as the Central Business District (CBD): neighborhood shopping centers and their middle-class customers gradually moved to the suburbs. According to the Phoenix downtown study in 1962 made by the City of Phoenix planning commission, in 1948 retail sales in the downtown accounted for 52% of the total sales of the entire city. In 1954, the number declined to 38%, and then to 28% in 1958 (City of Phoenix Planning Commission, 1962, p.5-19). In other words, the business values of the downtown areas almost shrank by half in merely five years, while the economy of the entire city was rising and Phoenix was becoming the leading city in the Southwest beyond El Paso (Luckingham, 1989, p.136). Then, the decline of retail and the lack of grocery stores further drove downtown residents to other areas, which is still an important reason that hinders the growth of the residential population in downtown Phoenix today.

However, in contrast to accepting the urban sprawl and the decline of downtown areas as a natural phenomenon, the urban planners and leaders of Phoenix have always appreciated and emphasized the significance of downtown Phoenix. Abandoning downtown areas without any attempts at revitalization is, to a large extent, politically unacceptable in Phoenixians' perceptions. While the city of Los Angeles has become a symbolic figure of the urban-sprawl-caused downtown decline, "we don't want to be another Los Angeles" is a long-standing slogan in Phoenix. Thus, in the planning discourse of Phoenix, Los Angeles is not an image of paradise or the California dream, but rather an image of the urban problems that a responsible city government has to solve. Some typical examples of these discourses are, "do you want this to be another Detroit or

New York or, worse yet, another Los Angeles?” by Former Governor Howard Pyle serving from 1951 to 1955. “We don’t want to be another Los Angeles. Nobody wants that” said Jim Marsh, the former director of Arizona Department of Commerce; and “there are things that can be done to stop the Valley’s slide toward becoming another Los Angeles” announced The Republic (Artibise, et al., 2008, para. 10-13). Although the values of urban planning might be very diverse, it is clear to most Phoenixians that hollowing out downtown Phoenix through a Los-Angeles-style auto-centric urban sprawl is not legitimate.

Since the downtown had declined and the model of the city form of Los Angeles was illegitimate in Phoenix, downtown revitalization is almost the only reasonable choice in city leaders’ policy inventory. However, the key question was how to do that.

Back in the 1950s and 1960s, the national wide urban renewal movement greatly influenced the city officials’ perspectives of downtown revitalization. Physically demolishing the “skid rows,” and then replacing the blight structures with high-rise buildings was the dominant strategy, which was financially supported by the federal urban renewal program. The construction of the Civic Center was the prominent project among all renewal attempts.

The planning purpose of the Civic Center was to a large extent associated with the “parking crisis” and the relocation of the Phoenix CBD. Because the original design of downtown streets was very pedestrian-oriented, when most Phoenix residents had cars, parking at downtown became extremely difficult, in particular compared with the suburbs where free parking was usually provided. At that time, only a few of the downtown

merchants had their own parking lots. Validated parking would annually cost \$ 40,000, which was not affordable for most of the downtown stores. Downtown merchants believed that the downtown business environment should be upgraded by the government. Otherwise, the taxes on downtown merchants were disproportionately high, because retail merchants in suburban shopping malls could easily operate their businesses while their customers enjoyed free parking (Vanderneer, 2010, p.270). Therefore, merchants urged the city government to lobby for federal funding for creating a downtown attraction and adequate parking spaces for downtown businesses.

On November 10th 1957, Leonard Goldman the chairman of the Phoenix Progress Committee declared that with federal help, a three-block Civic Center would be built in the downtown to spur downtown redevelopment. According to Goldman's plan, the Civic Center was a comprehensive project with new government buildings, a park and underground parking facilities spread throughout the area between Central, Third Avenue, Washington and Jefferson (Lewis, 1957). After several revisions, in 1965 Mayor Milton Graham formally announced the final plans, which included a concert hall and a convention facility, and which was expected to increase tourism, attract more people to visit downtown Phoenix, and then benefit the surrounding retail businesses. With regard to the construction and maintenance costs, the voters approved a special sales tax to help fund this ambitious project.

Theoretically, revitalizing the downtown areas through large governmental investments and the associated newly constructed parking and convention facilities was reasonable. As a Sunbelt city, Phoenix has its special advantage in tourism. The

convention facilities would attract more conferences, concerts, and tourists, whose spending would benefit and prosper the downtown economy. Then, the increasing tax base of the special sales tax would continually upgrade the quality of the Civic Center. It would create a sustainable and virtuous cycle.

However, there is an important condition for the success of the Civic Center project: tourists had to be plentiful and not deterred by the nearby skid rows. Otherwise, if the investment could not attract sufficient visitors, the special sales taxes and the cost of the Civic Center would create a greater burdens on the local economy.

Unfortunately, close to the Civic Center, block 77 was such an area of blight, part of the rundown “Deuce” neighborhood: there were pawnshop, bars, and flophouses; drunken men threw trash barrels into shops. A man who once lived in Luhrs Hotel with his family said his mother did not allow him to cross the street to Block 77. As he recalled, every morning policemen were present waiting for calls. There were 6 to 7 police calls a day. Because the wine bottles held by drunken street people (the so-called “brown-baggers”) were easily turned into weapons, the police would immediately grip the street people’s wrists and take the wine bottles away from them. This type of contact created many conflicts in Block 77 (Anonymous interviewee #2, 2016 October 19). As Talton’s (2011) describes,

“The Deuce was a place of lost souls: panhandlers, drunks, men passed out on sidewalks in recessed doorways after dark. People who fell between the cracks. It offered a panorama of quiet human misery for those staying in the old Hotel Adams and happened to have an east-facing room” (para. 11)

In the eyes of city officials, the existence of the old Block 77 was a dangerous threat to the entire downtown revitalization. As early as the redevelopment plan in 1957, “rehabilitating” Townsite Block 77 was identified as the “key to development of the plan or for any other plan for downtown improvement” (Lewis, 1957, p.2). Although the federal government refused to subsidize the redevelopment of this block, because the estimated \$ 1.5 million net cost of the project on such a small piece of land was not considered reasonable, Phoenix officials insisted that Block 77 had specifically experienced continuous and rapid deterioration. If this block was not cleared and redeveloped, the deterioration might spread and hasten the decline of other blocks in the downtown areas.

Although Phoenix officials were determined to redevelop Block 77 for a long time, their early plans were not successful in determining how to redevelop the block. The city leaders focused more on the significance of demolishing the old buildings. However, how to use the space was not very clear. In the discourse of the plan in 1957, the future of Block 77 could be “developed for private use by private investors or retained for public” (Lewis, 1957, p.2). A parking lot, a new building, or a landscaped park would all be possible, yet the chairman of the Phoenix Progress Committee was anxious to clear out existing structures in Block 77. This demolition-oriented planning ideology assumes that once the dilapidated structures were removed, the city would naturally recover, similar to cutting off the necrotic tissues from a patient’s body. This planning ideology has brought great changes to downtown Phoenix, which will be analyzed in the next section.

The redevelopment of Block 77 into a park is subtle in the trajectory of its planning process. The 1957 plan did not focus on the specific use of the block. In 1966, the block was designed as a business district with high-rise offices and hotels (Arizona Republic, 1966). On July 19th 1971, *Arizona Republic* (1971a, p.6) advocated changing the plan from a new nine-hole municipal golf course to a park, because a park would provide recreation for more convention delegates and residents than a golf course. This advocacy probably was the first publicly published article that suggested the construction of a new downtown park, rather than commercial facilities. The idea of building a public park on block 77 was promoted by Mayor John Driggs. On September 16th 1971, he suggested the construction of a park or square, “perhaps like San Francisco’s Union Square” to the Civic Plaza Business Association (Arizona Republic, 1971b, p.27).

To some extent, Mayor Driggs’ proposal of a new downtown park aroused Phoenixians’ memories of the city’s past appearance in the 1870s to 1880s, when Phoenix was still a small town with a traditional town square at its center (Anonymous interviewee # 1, 2016 April 17). The town square was once an important place for public gathering and conducting “Wild West Justice” in early Phoenix (Talton, 2015, p.23). However, since 1870, the voices of some private interests had been louder and criticized that public squares as being “too valuable for governmental or recreational use, insisted on subdividing them for business blocks” (Luckingham, 1989, p.27). Then, in 1931, the land of the original town square was sold to a private developer for building the Fox Theater (cf. Anderson, et al., 2011, p.45). Based on this historical background, when Mayor Driggs suggested re-publicizing the “zero-zero point” and bringing back the town



square of the city, the proposal of the new public park attained the support of Phoenix people.

On March 9th 1972, the Phoenix City Council approved the use of the Phoenix Civic Plaza special tax funds for building a new downtown square. According to City Manager John Wentz's speech, development of an open space, such as San Francisco's Union Square provides, and elimination of dilapidated structures in the vicinity of the convention center were two of the legal uses of the funds (Arizona Republic, 1972, p.7). Then, in January 1973, the city council voted to acquire the entire downtown city block 77 and develop it into a park and as an underground parking garage. The condemnation of the block involved 10 property owners and 17 tenants. The Editorials in the Arizona Republic described the future park that "an open green space in the center of Phoenix, put to proper park uses, will be a marvelous asset for the city. It should rival Pershing Square in Los Angeles and Union Square in San Francisco" (Editorials, 1973, p.6; cf. Arizona Republic, 1973c).

Sixteen years after the first proposal in 1957, the redevelopment of Block 77 obtained its funds approval in 1973. But, the proposed cost of replacing an entire block by a new park was \$ 5.5 million with \$ 3 million paid by federal revenue sharing, rather than the \$ 1.5 million as requested to the Federal Urban Renewal program in 1957 (Arizona Republic, 1973a; Morin, 1976). In the July, 1975, the Phoenix City Council accepted the design of the park as well as the lowest bid of \$145,719 from John W. Lathmore Contractor for construction of the new Block 77 Park (Arizona Republic, 1975).

Then, on April 6th 1976, the Block 77 Park was formally named Patriots by the City Council (Arizona Republic, 1976a).

On April 25th 1976, approximately 10,000 Phoenix residents gathered in central downtown Phoenix to witness Mayor Margaret Hance's announcement:

"Today, the development of Patriots is symbolic of the continued interest in maintaining the 'open space' concept in the heart of the city, as well as in our outlying areas... In addition, this beautiful park is equally representative of the revitalization of our downtown area." (Morin, 1976, p.A1)

Literally, Mayor Hance's announcement is correct. Patriots Park is equally representative of the revitalization of downtown Phoenix through its complexity, dynamic, and spatial contradictions. Its life and death are an important lesson for us to comprehensively understand the meaning of public space in the downtown revitalization.

The grand opening of Patriots Park in 1976 was the beginning of a big story. In the next chapter, the planning ideology of the first Patriots Park will be analyzed.

## CHAPTER 8

### THE SPATIAL PUBLICIZATION IN URBAN RENEWAL

This chapter focuses on the production of the first Patriots Park, which lasted from 1976 to 1986. Based on Lefebvre's framework, planning ideologies, spatial practices and social perceptions are the significant dimensions for understanding the meaning of public space ownership. This chapter examines the contradictions and interactions among these dimensions through the spatial evolution in the history of the park, as well as illuminates how these contradictions finally changed the space from a park to a camping place for homeless people; or in Lefebvre's terminology, the process of "becoming."

During the planning period of the first Patriots Park, the blighted old town blocks were identified as the main reason for downtown's decline. The poor people who lived in downtown Phoenix's SRO hotels and flophouses as well as the private business that served poor people, such as cheap bars, pawnshops, blood-bank and so on, were considered the main threats to downtown revitalization. Therefore, in this period, demolishing old town blocks and reshaping downtown Phoenix into a modern form were significant concerns of the city officials and planners in large part due to the national Urban Renewal movement.

The Urban Renewal program began in 1949 and proposed to help downtown areas of American cities to compete more effectively with suburban areas through "slum clearance." Urban Renewal projects were usually a mixture of local and federal funds coupled with the power of eminent domain. By the end of the program, the "slum

clearance” movement had “demolished approximately 600,000 housing units, forcing perhaps 2 million people, most of them having low or moderate income, to relocate” as well as “forced the closure of thousands of small businesses, many of which never reopened” (Levy, 2000, p.180).

In fact, the 1957 plan of Block 77 redevelopment was part of a federal request for urban renewal funds. After many adjustments made to the plan, the federal fund was still an important source to support the construction of the first Patriots Park. Therefore, the redevelopment of Block 77 and the first Patriots Park plan had similar threads with the Urban Renewal projects in other American cities.

“Le Corbusier was instrumental in shaping urban planning in post-World War II America. His ideas translated into urban renewal policies”(Hutter, 2007, p.119). City officials’ planning ideologies and their understanding of public ownership have some characteristics of the time. For example, the prevalent viewpoint of American city planners in the post-World War II period was that “the best way to save old communities, ‘slum’ communities, was to destroy them and replace them through urban renewal projects” (Hutter, 2007, p. 114). The complete demolition of the whole “Deuce” neighborhood in downtown Phoenix was not an isolated case. The force that once demolished ethnic neighborhoods on the south side of Portland and the historical neighborhood Society Hill in Philadelphia also existed in the city of Phoenix (Hutter, 2007, pp. 111, 114). The details of the planning ideologies associated with the first Patriots Park are discussed thoroughly in this chapter.

However, the downtown redevelopment of Phoenix was not totally the same as the cases in Portland or Philadelphia. The specific history and tradition of downtown Phoenix shaped people's practice and perception related to the park, and then finally created an uncommon result different from most of the other Urban Renewal projects: the city government was not able to force poor people to move out of Block 77, although the historical buildings in the block were demolished. Street people continually camped in the park, the renewal project, changing it into a *de facto* shelter even under tough policing. This chapter describes how this process unfolded by illuminating how "tiny changes" promoted the evolution.

### **Planning Ideologies: The Redevelopment Process as Bulldozer**

The word "redevelopment" usually has two dimensions: demolishing old structures and then constructing new buildings at the site. To a large extent, in current urban theories, the latter part of the meaning, the "construction," outweighs the former part, "demolition." The motivation of "construction" is usually assumed to be the cause of the "demolition"; because developers and city officials want to develop the land into a more profitable use than its status quo, they would thus like to pay the cost of clearing the old buildings. An "economically rational man" would demolish old structures, only when the benefits brought by the new buildings could cover the cost of the demolition. In this regard, the engine of redevelopment is the motivation of maximizing economic benefits.

Based on this economic assumption, almost all current analyses of public space redevelopment focus on the different returns of investment through different land uses, regardless of the political stances of these theories. From a political leftist view such as

“Revanchist City” Theory (Smith, 1996) that criticizes the alienation of public space users through profit-oriented planning, to the political right view, such as Bid Rent Theory (Alonso, 1964) that considers redevelopment as a natural result of rent bidding, the land rent gap between the existing and future land uses is always the core of the redevelopment analyses.

However, if we simply apply these theories to Phoenix’s downtown, we would find a prominent phenomenon that is hard to explain: vacant lots. If redevelopment is a pure economic decision or a result of rent bidding, downtown vacant land should never occur. No matter how low the profit rate of the previous land use was, the profitability of the previous use would be higher than a vacant lot that brought no profit at all. Although a particular developer might financially have insufficient funding to further develop a vacant lot, the rent gap would still encourage other developers to finish the redevelopment.

In addition, the downtown of Phoenix was a CBD, which was fully developed historically. That is, the phenomenon of vacant lots was created by demolition, rather than original insufficient construction. At least so far (2017), Block 23 is still vacant. On this vacant block, the original building of the Fox Theater was demolished in 1975 as a part of the downtown redevelopment project, and the JC Penny’s building was demolished in 1992. As Talton (2015) summarizes the downtown redevelopment in the 1970s, “further teardowns began in the capitol district, and the template was set: tear down old buildings in the core, even if it left vacant lots for decades” (p.108). The

“demolition” itself could also be the main purpose and course of redevelopment, rather than the result of construction motivation.

To a large extent, the reason that current theories cannot explain the demolition without construction is because they oversimplify the planning ideologies of redevelopment, or as Harvey indicates, they intellectually fix the logic of redevelopment in a rigid economic model. However, the ideologies of downtown redevelopments are always normatively complex. Promoting economic development, of course, is a type of norm in redevelopment, but it is far from being the only force to promote a downtown redevelopment. In the case of the Patriots Park project and the associated spatial publicization, demolishing the old blocks was the main planning purpose. If we carefully examine the way that city officials and planners rationalized the significance of the redevelopment, we will find that the demolition itself, rather than the potential economic benefit, was actually the planning purpose of downtown redevelopment. This demolition-oriented ideology has the following representations throughout the discourses of redevelopment planning:

**Blights demolition was decided first as the top priority.**

The prominent feature of the planning ideologies for the first Patriots Park is the demolition orientation. A typical feature of the demolition-oriented planning in Phoenix is that the decision to demolish a building was usually the primary decision for the redevelopment project. For example, according to a report requesting federal funding for Block 77 redevelopment, demolishing the existing structures in the block was the clearest part, while what would be built after the demolition was still open and indeterminate:

“the land could be developed for private use by private investors or retained for public use” (Lewis,1957, p.2). Underground parking, new buildings, or “beautifully landscaped park area” were all possibilities. With regard to the Phoenix Progress Committee, the particular land use and its returns on investment were not the most significant issues or motivation. Rather, clearing out the old buildings in Block 77 was the top priority, regardless of the land use afterward. The supposed reason was that if the city of Phoenix did not clear out the blighted buildings, the deterioration “may spread and hasten the decline of the blocks to the north, south, and east” (Lewis,1957, p.2).

The underlying assumption of this discourse is that downtown blight is a self-producing disease. The business, services, buildings and the “undesired” people in the space are organically associated with each other, and then form an entire community that spreads the blight and drive people away from downtown through a vicious cycle. From this perspective, the most important mission of a city government is cutting the vicious cycle by completely wiping out the blight in order to change the atmosphere in the previous skid rows areas. Then, no matter how the city uses the land, even leaving it vacant, the blight would no longer continue, because the root of the blight was removed. Otherwise, if the downtown redevelopment is performed as scattered site projects, “these islands of beauty and modernization are only isolated islands in an area of squalor and blight” (Arizona Republic, 1971a, p.6). In other words, the demolition itself is important and normatively sufficient, albeit a further efficient use would be better. For example, an *Arizona Republic* report of City Hall’s perspective on condition of anonymity is very typical:



“The big objective of the park, and we don’t publicly say this, is obviously to get rid of the pawn shop atmosphere” (Morin,1974, p.A1 ).

Under the demolition-oriented planning ideology, cheap bars, cheap rooming houses, other related cheap services and facilities, and their low-income customers were the underlying causes of downtown blight. Thus, demolishing these facilities and “getting rid of the pawn shop atmosphere” were the most important, if not the only approach, to stop the downtown decline. If a demolition project did not stop the downturn, the approach was to demolish more.

For example, in 1981, merely five years after Patriots Park’s grand opening, then Senator Barry Goldwater, R-Ariz., announced he would move his office from the Federal Building to East Camelback because female staff members feared for their safety in the evening (Hrnicsek, 1981).

In the same year of Sen. Goldwater’s move, the editorials (1981) in the Arizona Republic criticized the new Patriots Park as a civic blight:

“Public drunkenness is about all they can be accused of. For that, they’re run to a nearby alcohol rehabilitation center, from which they return to the streets—or to any of several charitable or commercial flophouses in the area. They subsist by selling blood at a nearby commercial blood-bank or panhandling” (p. A6)

Or as the columnist writer Pat Murphy (1982) said,

“Unless this proposal [of downtown revitalization] carries with it provisions to also relocate facilities that attract skid row characters, cheap bars, blood banks, and charity kitchens then the idea is naive. Derelicts will drift back downtown” (p. A6).

In this way, the feeling of insecurity related to the first Patriots Park became a significant force to promote demolition; not only in Block 77, but also in other downtown blocks wherever “flophouses,” “blood-bank,” “cheap bars” and other “facilities that attract skid row characters” existed. This planning idea insisted that Phoenix could revitalize its downtown only if the city government completely wiped out all these “Skid Row” facilities.

Based on the demolition-oriented planning ideology, public ownership became a convenient power for the city government to start and promote the demolition. The eminent domain power perhaps is the only approach for completely demolishing the entire town block beyond a careful cost-benefit analysis. Publicization of the space, thus, was a part of the bulldozer machine.

### **The influence of Le Corbusier’s theories.**

Another intellectual source of the 1970s planning ideology in Phoenix is derived from Le Corbusier’s theories of downtown redevelopment, which were significantly influential at that time.

In a historical study, understanding the city officials and planners’ beliefs about what a good city should be at a given time is important. Oversimplifying planners and officials merely as passive representatives of the bourgeois or capital interests is not always fair, because the dominant planning ideology during the redevelopment period might be different from the later ideologies. At least to some planners of the first Patriots Park, the demolition-oriented planning was believed as the right approach to revitalize downtown Phoenix. As an anonymous interviewee recalled:

“The loss (demolishing Block 77) was catastrophic. But most people, and city planners, at the time weren’t thinking that way. They saw it as an eyesore and the future as some sterile Le Corbusier ‘brilliant city.’ All that was terribly misguided. It took away—and not just in this block—the wonderful, human-scale of downtown, replaced with arid superblocks.” (Anonymous Interviewee #3, 2017 January 10)

In the 1970s, Le Corbusier’s planning theories, particularly his downtown redevelopment theories, were prevalent in the U.S. There is evidence that the original planning of the Patriots Park was influenced by Le Corbusier’s (1967) “Radiant City” theory. Generally, this theory has two significant perspectives toward downtown redevelopment: first, historical downtown areas were considered as a chaotic and congested space derived from unplanned growth in their history. Thus, downtown areas encumbered the city to adapt itself to the conditions of a new modern age. In this regard, a modern “Radiant City” should eliminate the historical areas and the pedestrian-oriented streets (Hutter, 2007, p. 105). Second, building high-rise buildings for most of the residents as well as leaving 95% of the land vacant is the second prominent feature in Le Corbusier’s “Voisin” plan for Paris 1922-1925 (Levy, 2000, p. 159). Le Corbusier believed that this design made a central city decongested with high density through its high skyscrapers and the huge surrounded open spaces. That is, Le Corbusier’s “tower in the park” model.

Although Le Corbusier’s plan was never built in Paris, the 1970s redevelopment of downtown Phoenix to a large extent was influenced by this planning ideology: First, the historical and pedestrian-oriented town blocks and buildings were eliminated to

modernize the downtown Phoenix areas. Because the historical buildings were assumed to be merely old structures and eyesores, rather than precious city history, the preservation of historical buildings aroused limited interest with the city officials and planners.

As Talton (2013) points out, Patriots Park could have been the bones of a Phoenix version of Denver's Larimer Square; this square preserved the downtown history, rather than simply demolishing a block of historic buildings. He states:

“Several valuable territorial-era structures were demolished to create the desolate, sunblasted Patriots (workers discovered an ‘underground city’ from frontier Phoenix that had housed opium dens and gambling parlors, protected from the heat in an era before air conditioning). These and others lost were precisely the kind of buildings rehabbed in downtown Denver into Larimer Square.” (Talton, 2013, para.4)

Block 77 was the center of the city for a long time. There were Fire Station No. 1 and dense commercial buildings from different eras and of various architectural styles. The famed Saratoga Cafe and Rialto Theater were here. However, because the planning ideology considered “old” as “bad,” the buildings were torn down indiscriminately, not only at Block 77, but also the adjacent downtown blocks.

Luhrs' Hotel was the first example. Since 1887, this hotel had been located on the northeast corner of Central Avenue and Jefferson Street. It was adjacent to Patriots Park and demolished in 1981 merely six years before its 100<sup>th</sup> birthday. The oldest hotel in Arizona and oldest landmark in the original city of Phoenix was bulldozed under a similar planning ideology of the Patriots Park's redevelopment.

On April 13th 1979, Michael Peloquin and Richard Thomas bought the hotel with the plan to preserve and operate it as a European style hotel. However, the City Building Department and the City Fire Department required many changes to be made (Luhr, 1988, p.158). Thus, Peloquin and Thomas found it impossible to go ahead with their original plans. They decided to tear down the historical hotel and pave “the way for a modern high-rise building,” as well as save the cost caused by the delay of the redevelopment (Reeson, 1980, p.C1).

With regard to the demolition of Luhrs’ Hotel, the discourses of city officials clearly presented the perspective that “new” is “good and advanced,” while “old” is “bad.” The historical significance was not a key point in the redevelopment, as long as the old buildings could be replaced.

The published speeches of city officials declined the requests for preservation in a relatively gracious tone. For example, Warner Leipprandt, the city’s deputy planning director, said “city officials are concerned about the loss of the historic site but probably will not act to prevent it” (Reeson, 1980, p.C1), while Councilman Ken O’Dell, the head of the council’s redevelopment committee, said he doubts that any action will be taken to block the high-rise construction, because “if there is a structurally unsafe building in the downtown area, historical or not, we will not move to save it” (Reeson, 1980, p.C1).

A private letter presents the indifferent attitude toward preservation more directly:

“On July 15th, 1980, George, Jr. wrote Margaret Hance, Mayor of Phoenix. ‘Enclosed you will find a short history of the Commercial Hotel (Hotel Luhrs). The Phoenix Historic Building Survey states that the hotel is eligible for listing on the

National Register.’ Mayor Hance replied, ‘The City does not administer any historic preservation funds. Those federal funds are administered out of the State Historic Preservation office whose address is 1688 West Adams, Phoenix, Arizona, 85007. Thank you very much for your interest and dedication over the years to downtown Phoenix’” (Luhrs, 1988, p.159).

Similarly, Fox Theater, another historic building built in 1931 adjacent to Patriots Park was also demolished for a bus station. Numerous historic buildings in downtown Phoenix met the same fate in the name of downtown redevelopment. While the planning ideology believed that “old” is “bad,” “blight elimination” would be a sufficient reason for demolition, regardless of the cost-benefit analysis of the future development. As Talton (2015) criticizes, Patriots Park was sunblasted and dehumanized (p.108); it is surrounded by wide streets and lacking any delightful magnets, while all territorial-era buildings were completely torn down.

Second, “towers in the park” appeared in other downtown Phoenix areas. While the city officials attempted to replace the historic downtown structures with modern high-rise buildings and office towers, they really emphasized to open up downtown areas with open space. As Mayor Hance said about the first Patriots Park:

“One of our most important decisions of the year, in my estimation, was the acquisition of a key downtown, block Central to First Avenue, Washington to Jefferson, for a park. This block ties the Government Mall to the heart of downtown and the business district, and will provide a key ingredient in our urban situation, beauty, open space, room to breathe” (Hance, n.d, p.2).

Under this ideology, opening up the downtown areas and uniting the surrounding redevelopment projects were very prominent points in rationalizing the Patriots Park planning. For example, in 1973, City Manager John Wentz envisioned the park as the future “focal point” of the downtown and as the “anchor” for the entire Governmental Mall district (Arizona Republic, 1973a, p.B1). The report of City Hall’s perspectives also held a similar planning ideology of “Radiant City”: “we need outdoor space to open up the downtown area. In the process we are eliminating a whole city block of blight” (Morin, 1974, p.A1).

By and large, although the urban problems associated with modernized and dehumanized urban redevelopment have now been intensively criticized, demolishing the old blocks by constructing office towers and open space was once a prevalent strategy for downtown revitalization. In the 1960s and 1970s, the overcrowding and blighted skid rows dominated downtown blocks for a long time. The urban planners were anxious to upgrade the quality of life downtown by fast-developing modern technologies. For some cities adapting Le Corbusier’s planning ideology was a response to this anxiety.

However, Phoenix planners in the 1970s did not completely follow everything from Le Corbusier’s plans. The “towers in the park” design downtown Phoenix had specific themes associated with the Urban Renewal movement. In terms of Patriots Park, the increasing ideas that promoted social exclusion are a typical example.

Theoretically, Le Corbusier’s planning encourages social integration, rather than segregation. Integration was an important reason for him to promote public property ownership and public open space. Le Corbusier believes that “the overall social welfare

of society is enhanced if individuals see themselves as part of a larger group” (Levy, 2000, p.158). However, as Mumford criticizes, a park, vacant space or its public ownership cannot automatically promote social integration. If the design of a park ignores the variety of human needs and the complexities of human associations, this park would intensify exclusion through the spatial segregation of its open space, because it cannot produce a community that takes advantage of the space and forms social integration (Hutter, 2007, p.106-107).

Unfortunately, Patriots Park fell into the problems criticized by Mumford after physically destroying the previous Deuce neighborhood. The demolition and publicization of Patriots Park project also bred the social exclusion perspectives.

The redevelopment of Block 77 tore down many of the Single-room Occupancy Hotels (SRO) that provided cheap residential options for the poorest people in the city. However, the redeveloped skyscrapers were not the public houses Le Corbusier expected. Then, the poor people who lost their previous residential place overflowed into the downtown parks and vacant lands, since these places theoretically welcomed everyone (Editorials, 1981, p.A6). Then, the model of “the tower in the park” became towers in the “tent city.”

Therefore, a new problem was in the face of the urban planners: the attraction and the public ownership of the space did not help people in the space integrate or identify themselves into the same group. Rather, as Mumford (1975) criticizes, the abrupt construction of public open space without understanding the complexity of society not



only cannot socially integrate different groups of people but rather intensifies the tension between working and homeless people.

In 1982, then Maj. Bennie Click of the Police department suggested closing Patriots to address the problem of transients, since the park staff had to clean the park two or three times a day and the “transients are running a lot of legitimate users out” (Manson, 1982, p. B1).

Under this pressure, James Colley, then parks director of the Phoenix Parks and Recreation Board, suggested building a suburban “Hobo” park for homeless people, so that the city could separate homeless people and working people into different parks (Manson, 1982, p. B1). The “separate but equal” idea appeared in the planning of a public space. A publicly owned open space might also foster the thinking of segregation and exclusion, albeit the space is under public ownership.

### **The self-identification of city government.**

Urban planning is a governmental activity. The ideology of planning in the 1970s was thus directly associated with the self-identification of the then city government. The understanding of the redevelopment logic and the responsibility of a city government deeply influences the planning ideology of downtown revitalization. In other words, the attitude of the city government of Phoenix contributed to the specific form of planning ideology.

The current theories of public space redevelopment usually consider all the political, economic institutions and governments as a monolithic system, which is promoted or controlled by the general economic rationality and the logic of capitalist

development. However, a city government might have a self-identity related to its responsibility and specific normative understanding with the logic of urban renewal. The specific stance of local government is another important aspect of planning ideology that promotes demolition. Levy (2000) insightfully describes how the planning ideologies of local government overwhelm the purposes of federal policy:

“If rundown housing occupied by lower-income households was demolished and replaced with commercial development, the municipality solved both a housing and a tax base problem. The population that lived in the housing to be demolished would not vanish from the face of the earth. But, if that population settled in adjacent communities after being dehoused by ‘the federal bulldozer,’ it became someone else’s problem. From the local perspective, that solved the problem... Clearly, what constitutes a problem and what constitutes a solution vary, depending on whom one considers to be one’s constituency” (p. 167).

In this regard, the redevelopment project would gradually deviate from its original design and purpose into a shape that the local government could see its responsibility and benefit. In other words, a city government is not an automatic machine. Before any redevelopment action of a city government, this government should believe the action is right and should be done by itself. The normative decision and planning ideology not only influence the planning in its design process but also the specific implementation.

The redevelopment of Patriots Park had a similar trajectory with the urban renewal case described by Levy. By and large, the city government in the 1970s believed that bulldozing the old town through eminent domain power was the government’s

responsibility, but after that, the redevelopment should be finished by the private or social sectors. In short, the economic revitalization of the downtown, or the “construction,” was not the city government’s responsibility. This planning ideology also greatly shaped the redevelopment into a bulldozer. Specifically, there were two underlying assumptions that supported this ideology.

First, economic self-recovery was a prominent belief. The most important underlying assumption of the city government in the 1970s was that the real estate market has the capability of self-recovery, while a government should play a limited passive role in the recovery process. The blighted buildings in downtown were considered “diseased tissues.” Any individual private developer would not be able to excise “diseased tissues” in such large areas. However, if the city surgically removed these buildings through the use of eminent domain power, the private real estate market would recover by itself and reach the supposed equilibrium level of the land rent, as a patient’s body would do.

Generally, the basic argument of this belief is that downtown Phoenix was a developed area with sufficient urban infrastructure. The only disadvantageous condition was the existence of the old buildings and the cost for clearing the space. Since the population of Phoenix grew significantly in the post-war periods, the demand in the real estate market would attract private developers to the downtown and revitalize the space. For example, in 1979, a study held by the Central Phoenix Business and Professional Association noted that:

“Downtown Phoenix, with pavements, sewers, sidewalks and other utilities already provided, is an excellent place to accommodate the city’s mushrooming

population. It will be increasingly attractive for living as the steadily rising price of gasoline makes the suburban living overly expensive. Growth in Phoenix is inevitable. To channel it downtown makes a lot of sense” (Editorials, 1979, p.A5).

In addition, downtown revitalization was defined as bringing more business to the market of downtown areas (Arizona Republic, 1973b). A city government could provide the initial help, such as offering governmental subsidies or even condemning the existing private real estates for the development with higher business values. For example, to build a 14-story office building to attract more business and working people to the downtown, the Central City Redevelopment Agency suggested to the City Council that it should condemn private properties for developers, because developers could not reach an agreement with the previous property owners at the place, albeit this condemnation plan was eventually rejected by the City Council (Turco, 1982b)

Second, a city government’s job was identified as expelling undesirable people, rather than relocating them. As in Levy’s (2000) aforementioned description, demolishing old housings and then expelling poor people from the downtown areas was a common phenomenon in the urban renewal periods. However, we should also realize that the rationales of this activity were more than “let it become others’ problem,” but also about the worry that once a local government distributes social welfare, the poor people from other places would rush into the city and damage the health of local public finance. Regarding whether Phoenix should help poor people who lost their affordable houses in redevelopment, the argument of then Mayor Murphy of the City of Tucson was a typical case of the above perspective:

“The city wants to ‘do nothing to create circumstances under which we would be construed as a magnet community and one which welcomes the professional transient who is participating in criminal activities’” (Hall, 1983, p. C2).

In terms of planning ideology, worry about the potential burden to the city significantly shaped the public policy that focused on expelling poor people and demolition, rather than helping people settle. People who held this planning ideology believed that compared to spending public funding on social welfare and a complex relocation project, simply demolishing all amenities that support homeless people’s everyday lives would be the cheapest way to revitalize the city. Otherwise, homeless people would continually congregate around these amenities, because “certainly no one puts out feed for the birds every day and then wonders why so many birds hang around his place” (Baird & Plamondon, 1981, p.A6).

In this regard, “spending less” means “good.” A city government should be responsible to the public budget. Demolition is the most economical way to solve the “public nuisance,” compared to a complex relocation project. Thus, a responsible government should not waste precious public funding to complicate the redevelopment, albeit the critics (e.g. Terry Goddard, the latter Mayor of Phoenix) would note that the excessive policing might cost more public funding than helping homeless people, because “cops are very expensive social workers” (Hall, 1983, p.C2).

This section summarizes the complexity of planning ideologies in terms of public space redevelopment, particularly regarding how the city rationalized the publicization of the space and why demolition, rather than construction, became the most prominent

element. A city government is not an unconscious tool of the general capitalist machine to adjust the land price to the equilibrium level. In contrast, the policy of public space redevelopment was derived from the legitimization of comprehensive ideologies.

As this section summarizes, there were generally three sources of planning ideologies that contributed to the demolition-oriented planning related to the first Patriots Park and the associated demolition: first, getting rid of “skid row” facilities was once the most important concern, because the city officials believed that expelling poor people and removing the “pawnshop atmosphere” could be finished by complete demolition. Second, the influence of Le Corbusier’s planning theory intensified the idea that replacing historic town blocks by office towers and open space was a necessary approach of modernization. Thus, those “historic” but “not blighted” buildings had also been indiscriminately demolished during this period. Third, the prevalent belief of the responsibility and appropriate role of a city government was also relevant to the planning decision. While a city government identifies its main responsibility as expelling, rather than helping homeless people, the self-identification of government also promoted the demolition. The idea of the then mayor of Tucson that a city should “do nothing” to help homeless people was once prevalent in Arizona (Hall, 1983, p. C2). Expelling poor people from downtown, condemning real estate properties to provide cheaper lands, and waiting for economic self-recovery were assumed to be city government’s responsibilities in downtown revitalization of Phoenix. The condemnation and the attempt to poor people supported the property publicization and demolition in downtown Phoenix.

Patriots Park was merely a portion of the downtown Phoenix redevelopment plan. Such a public project was convenient for the city government to use eminent domain power and completely demolish all downtown blighted and “old” structures as well as expel the poor people who lived in the block. In addition, city officials believed that a park would be a good facility to open up downtown areas.

Literally, ideology means normative identification. The city government had to legitimize that the demolition of the block and the construction of a public space was beneficial to the city before they implemented the policy. In this process, a public space could have complex meanings. It could play the role of a convenient reason for triggering condemnation to demolishing the old private structures, a way to exclude “undesirable” people, or an economical way to stop the vicious cycle and help the local economy recover. In this regard, Patriots Park was far more complex than a simple open space for public gathering. It carried the specific expectation of the city government from its inception, albeit the practice within the space and people’s perception further shaped the evolution of this park’s meaning, which will be analyzed in the following sections.

### **The Spatial Practice: The Mirage of “Tough Policing”**

This section examines the spatial practice after the first Patriots Park was built under the aforementioned planning ideologies. From any sense, street people are the core issue of the spatial practice in Patriots Park. In 1971, when Mayor John Driggs suggested the construction of a downtown park, he gave the public an enthusiastic speech about the future of the park and downtown Phoenix :

“This is something that would greatly enhance downtown. This would make downtown a more pleasing place for people to visit. We no longer need to fear about the future of downtown. We don’t need to make any more apologies. We’re going to see continued activity here at a sustained pace”( Arizona Republic, 1971b, p.27).

However, diametrically opposed to the Mayor’s perspective, the police stated the park would “become heaven for drunks and muggers” during the early planning process, yet city planners “say it (the park) is necessary” (Morin, 1974, p.A1). The later development trajectory of the park, to some extent, proved the police’s worry: in 1979 merely three years after the park’s opening, the park had been called “bums’ heaven” by the surrounding merchants, because this park “has done nothing but attract undesirables” (Harris, 1979, p.A1).

Then in 1980, a reader’s letter to Arizona Republic complained that “how can Phoenix be an All-American City when there were winos sleeping under nearly all the trees at Patriots Park (Muskatel Meadows), when Mrs. Carter gave a campaign speech several weeks ago” (Woodward, 1980, p.A7). Although a columnist defended that “great winos make for a great city” (Kelly, 1980, p.F1), the gathering of street people in the park was a phenomenon not to be ignored. Phoenix police even had to arrive early to “persuade derelicts who use the park to move on for the day,” so that Mayor Hance and residents could celebrate Phoenix’s 100<sup>th</sup> birthday within Patriots Park (Collier, 1981, p.B9).



In 1981, the fifth year of the new park, the editorials in *Arizona Republic* called the park, which was the representative of the downtown revitalization by eliminating a whole block, a “civic blight” (Editorials, 1981).

Even the newspapers from other states reported on the gathering of street people in Patriots Park. For example, in the *Pittsburgh Press*, Patriots Park was once described “as a gathering place for ‘transients’—hobos and other rootless people” (Bein, 1983).

More importantly, as time went on, the problem of transients was becoming worse in the park. James Colley, then Parks Director, said they were cleaning Patriots Park two or three times a day (Manson, 1982).

At the time, in 1982, the columnist Pat Murphy asked a question: “we didn’t tolerate prostitutes why tolerate bums”. He criticized that,

“They have taken over Patriot’s Square just a block east of City Hall... The humiliation and risks to well-behaved users of Patriot’s Square from the new habitues are so intense that the city has ordered the park closed by dusk. So, the public gives up more ground to the derelicts” (1982, p.A6).

He posited that since the police of Phoenix could drive prostitutes away from the city simply by getting tough and “making their habitat uncomfortable and unprofitable”, why could the police not also use the same tactics to decrease the population of homeless people in Patriots Park.

By and large, Mr. Murphy’s comparison between prostitutes and homeless people is inappropriate: prostitution is a crime, but not having enough money to rent a room is not. However, his argument presents a common belief that tough policing would reduce

the population of homeless people in public spaces, albeit the lesson of Patriots Park told us that toughness did not always help, because of the particular logic of homeless people gathering in Patriots Park.

This section will review the evolution of the spatial practice of homeless people and police. Perhaps, the origin of the transient problem in Patriots Park did have a relationship with prostitutes in Phoenix's history. Without understanding the evolution of this space, we cannot understand the logic of practice in Patriots Park.

### **The Gathering of Homeless People in Downtown.**

In the perspectives of the city officials and residents who focus on the formal urban planning, the interpretation of the causes of homeless people in Patriots Park usually concentrates on the destruction of the Deuce neighborhood and Single-Room Occupancy (SRO) hotels, deinstitutionalization of the mentally ill, and the change of the anti-vagrancy laws.

To a large extent, these policies are significant causes of the rise of the homeless population, because these policies moved people from SROs, hotels, and jails to the streets. However, this interpretation has a shortcoming that can be easily overlooked: it does not include the geography and spatial factor in its consideration, apart from the general background of public policies. Although these policy changes were significant causes of street people, why these people would stay in the downtown area rather than elsewhere has not yet been answered.

Without clarifying the spatial specialty, we run the risk of oversimplifying the problem into a general law enforcement issue and believing that the revision of public

policies would automatically solve the problem, since the problem was derived from the policy changes. That is, one of the origins of the belief that once police get tough, the homeless people would leave.

However, the emphasis of vagrancy laws, demolition, and tough police in the discussion of homeless people is to some extent nostalgic thinking, rather than a fact: simply putting “undesired people” in jail did not always decrease the population of street people, even in the so-called “good old days”.

For example, Benny Begay, who was interviewed at the opening day of Patriots Park, “had been arrested more than 400 times for drunkenness” before the change of vagrancy laws in 1973 (Arizona Republic, 1976b, p.B1). However, he still came back to downtown, and thus was interviewed as a representative of transients who lived around block 77 (Morin,1976).

If more than 400 arrests could not stop a man from moving back to the downtown area, the belief that tough policing and the old vagrancy laws would simply reduce the homeless population in the future is logically doubtful.

In addition, another important clue from the case of Benny Begay is that homeless people lived around block 77 before the construction of Patriots Park. In other words, the homeless problem was not created by the construction of Patriots Park. In contrast, Patriots Park itself was an attempt to expel the existing homeless people in the old town block through complete demolition, albeit this attempt was not very successful. Therefore, to understand why the police could not reduce the homeless population in Patriots Park,

we should examine the early history of the block before the construction of Patriots Park and homeless people's everyday lives here.

***The spatial evolution before the construction of Patriots Park.***

Why did Phoenix downtown have so many SRO hotels? To answer this question, we should examine the city development in World War II. As Bernstein's (1972) study reviewed, because Arizona has a natural landscape for military training, during World War II, a large number of servicemen were stationed in the valley. Good or bad, along with the rise of the serviceman population, the so-called "hustlers" and "street walkers" started to gather in Phoenix's downtown and created an "open proposition" industry there. During this period, hotels had mushroomed all over the area and reached their peak in the early 1950s. For example, in 1949, the American Social Hygiene Association indicated 15 hotels as "houses of prostitution" by a survey (Arizona Republic, 1949), albeit prostitution was much more prevalent than merely 15 hotels at the downtown center. According to Bernstein's (1972) interviews and field research, there were 6 hotels, which at one time offered prostitution services in the area, still in operation in 1972:

"Brothels in the study area were apparently very well maintained while they were in operation... the buildings always had a nice appearance, as they were freshly painted on the outside and always kept clean on the inside. Most of the former brothels had cleaning help as well as kitchen help, and generally speaking, the only thing which differentiated them from some of the more prominent hotels of Phoenix was the presence of prostitution" (p. 69).

However, prostitution is a crime that would create more crimes, such as drug abuse and sheltering criminals. The crimes related to prostitution aroused the anger of Phoenixians. Since 1949, a vigorous campaign was conducted to eliminate “open prostitution.” The city council also ordered the police to crack down on the illegal operations in the hotels and rooming houses (Bernstein, 1972, p.64). Then as Murphy (1982) recalled,

“The combined use of undercover policewomen posing as prostitutes, aggressive arrest policies and a no-nonsense law enacted by the Phoenix city council literally chased prostitution off East Van Buren, restoring the street to a semblance of decency and order” (p.A6).

However, in the 1950s, the loss of the servicemen after the war and the campaign for cracking down on “open prostitution” created a void for the hotels in the small downtown areas. Therefore, these hotels were forced to lower their rates and served anyone who would like to live there. Degrading the quality of hotels seemed to be the only option for most of the hotel owners at that time. For example, Mr. White, the owner of the White Hotel, was once very selective of his tenants before, such as requiring a steady employment for a prolonged rent, but even Mr. White lost his interest in the hotel business and had to downgrade the hotel into a second-class establishment because of its not being competitive. As a result, the transients and other poor people gradually gathered downtown, since no other areas in the city provided living options at lower prices.

More importantly, in contrast to the urban planners' assumption that several particular facilities, such as pawnshops, attracted homeless people to the downtown area, homeless people to a large extent gathered in downtown areas because of the specific history of downtown Phoenix: downtown was a traditional place for part-time employment and social relief. A part time employment agency that served the homeless people was located on Second Street, which usually provided jobs that paid \$ 1.60 per hour in 1972 while the legal minimum wage was \$ 2.50. The Salvation Army Mission and the anti-poverty agency of Phoenix, LEAP, which was funded by the federal Office of Economic Opportunity, were both located in the downtown areas (Bernstein, 1972, p.50-51). In this regard, the downtown was also the long-term location of homeless people's community, in addition to other residents.

***The homeless people's gathering after the demolition-oriented renewal.***

Although the city of Phoenix attempted to get rid of the neighborhood of poor people in its downtown, the facilities of social relief were really hard to demolish or move. On the one hand, in terms of the city government, it was almost impossible to forbid the social relief and welfare provided by charity or federal programs. On the other hand, the local residents did not like these facilities. For example, a local resident said it directly: "I by no means hate these (homeless) people, but the residents here would like to blow that dining hall to the moon" (Morin, 1974, p.A12).

A particular case about how difficult building a new shelter outside the downtown was the proposal for purchasing 4 acres at the site of 16<sup>th</sup> Avenue and Lincoln Street for a shelter in 1983. Although Mayor Hance openly criticized that "Phoenix has a national

reputation for our lack of concern for the homeless and dragging our feet ... I think we've earned it" (Tomaso, 1983, p.B1), the Phoenix City Council still hardly authorized the new shelter construction, due to the strong protest from legislators and city council members who represented the area (Murphy, 1983b). Because of the negative externality, new shelter buildings are always difficult no matter where they are located. As Episcopal Bishop Joseph Heistand, whose Coordinating Committee for the Homeless urged the council to build the new shelter, said "There is no ideal site. I hope the City council has the courage to bite the bullet so we can move on" (Schultze, 1983a, p.B1). However, with regard to city council members, "biting the bullet" is not something reasonable to do.

In this regard, the cumulative outcome of a series of policies was a very special phenomenon: the city could completely demolish all the buildings in the vicinity of several blocks. It could also limit the charity and relief services, suggesting the insufficient welfare would squeeze homeless people out. However, homeless people still gathered in the downtown areas, although they sometimes had to trespass in closed facilities. In addition, donations and help for homeless people continually came into the downtown areas because these were the only well-known places that people believed could help homeless people.

Therefore, the demolition-oriented planning ideology faced its direct contradiction in the practice of homeless people: although the city could tear down anything for blocks, homeless people still trespassed and camped in vacant lots with nothing on them. For example, at Ninth Avenue and Madison, there were at one time 300 street people camping in the vacant lots. The property owner, the Salvation Army

Mission, did not actually welcome so many people, but they had no way to decrease the gathering: “we have no choice—they’re trespassers. If the city has a plan we’ll assent to that plan—but it *must* have a plan” (Zipser, 1983, para.16).

One homeless person, who identified himself as “a trespasser at Ninth and Madison,” more directly presented the contradiction between planning and homeless people’s real practice:

“I don’t understand how the media can be telling everyone to bring their donations to the Salvation Army and the St. Vincent de Paul Society when the Salvation Army doesn’t want us on its property because it’s worried about its ‘liability’” (Zipser, 1983, para.23).

Andy Zipser, the journalist of New Times, sarcastically summarized the failure of demolition-oriented planning in relocating homeless:

“In the beginning someone created library Park and Patriot Square; and they begat the seventh avenue overpass and fort swampy; and then the City of Phoenix begat ... the corral. Maybe” (Zipser, 1983, para.1).

Apart from his satiric tone, the “corral” he referred to was not a joke, but a formal serious plan for relocating homeless people in a remote farm relatively far from downtown Phoenix. The city planned to build “a work farm for drunks” by using the land near Sky Harbor airport. The city hoped to remove all the drunkards from downtown Phoenix. The planners and city officials hoped that the drunkards could live there, work there, drink there, but hopefully not return to downtown Phoenix. Both the city council and Federal Aviation Administration approved this plan, although it again lacked enough



funding to implement the original plan and faced serious protest from the officials and residents of nearby communities (Schultze, 1983b; Sallen, 1983).

In essence, the failure of the demolition-oriented planning in solving the problem of homeless people was derived from two misunderstandings: first, making the place uncomfortable to homeless people, such as demolishing all they needed so that they would leave; second, mandatorily sending them somewhere other than downtown, so they would have to relocate. In almost all downtown revitalization policies in the 1970s to the early 1980s, we can easily find the shadow of these misunderstandings, no matter whether in the planning of a public park, new shelters, homeless parks, or a remote work farm.

While Mr. Murphy wondered why the police could not make homeless people's habitat uncomfortable and unprofitable, he misunderstood the logic of homeless people's practice in the downtown:

First, police were not able to make homeless people's life much worse. The reason that homeless people gathered in downtown Phoenix was not because living there was comfortable. In contrast, homeless people gathered in the downtown because the living condition there was the worst, that is the cheapest, in the Phoenix area. Therefore, unless the City of Phoenix could make the living conditions of the surrounding business districts worse than downtown Phoenix (of course, that is ridiculous), relocating from downtown Phoenix would not be an alternative for many homeless people.

As a newly developed city that experienced rapid growth, the appearance of skid rows in the City of Phoenix had a relatively short history (since the 1950s) compared to

other huge metropolises. Since the city was generally newly developed, there were not many other skid rows outside the downtown for homeless people to relocate to. Therefore, after the City of Phoenix bulldozed the old blocks, homeless people would not become “someone else’s problem”, as the trajectory of other metropolises’ urban renewal. The homeless people had to stay in downtown Phoenix because they relied upon the uncomfortable lives in these old blocks.

More importantly, the emphasis of tough policing and vagrancy laws has a basic implication that the threat of imprisonment would deter homeless people from staying in downtown areas. However, those who believe this implication forget that the City Jail was once an important shelter for homeless people in downtown Phoenix, before the court stopped sending street people to Phoenix Jail.

“Commonly known as ‘Hi-Fi’ on skid row, the top floor of the Phoenix City Jail is usually reserved for vagrants and drunks. Some skid row residents will actually attempt to get arrested since the jail may be the only source of food and shelter available to them. It has been rumored that are men who will spend their entire monthly welfare check in just two weeks, planning the jail for food and shelter until the next check arrives” (Bernstein, 1972, p.54).

While street people were having lives worse than prisoners in jail, arresting and imprisoning became a special type of social relief. In this circumstance, even the toughest policing could not make street people’s lives even worse or more uncomfortable. That is why a person who had been arrested over 400 times would continue to live around Patriots Park.

Second, police were not able to make Phoenix downtown unprofitable to homeless people. In contrast to prostitution, it is not a crime for the employers coming to the downtown gathering place of homeless people to search for cheap laborers. These job offers were usually the service type, such as yard work, menial field labor, dishwashing, and other maintenance jobs (Bernstein, 1972, p.52). In this process, the labor contractors knew that they could gather enough very cheap laborers easily, while the homeless people knew that downtown Phoenix was the place to find some temporary working positions. That also reinforced downtown Phoenix's traditional role while the city attempted to run homeless people off the downtown, other newly developed high-class business districts did not have this tradition of job markets for cheap labor. For example, John, a Hopi transient from northern Arizona, who lived in Patriots Park in 1983, said:

“The downtown area is where we look for work. If they (social service agencies and shelters) moved, I would never use it. I would be here”(Flannery, 1983, p.B2).

The survey report of Phoenix South Community Mental Health Center (1983, June), *The Homeless of Phoenix: Who are They and What Should be Done*, provided a more quantitative examination, which to a large extent verified John's words. According to this survey, only 26% of single adult homeless people were receiving any type of public assistance or food stamps; to the older, over sixty age sample, the proportion of those receiving public assistance was only 13%, including combination. Correspondingly, the proportion of the economic support through regular, part-time and occasional jobs was 39% for single adults, while 11% lived by donating blood or collecting cans (p. 44, 45). In contrast to the stereotypes that homeless people gathered downtown merely

because of the public assistance and welfare, the traditional cheap labor market in downtown Phoenix was significant for the homeless people.

In this vein, although the old block 77 was torn down and the new Patriots Park was built, the traditional gathering place of homeless people for work did not change. The homeless people who wanted to earn dollars still gathered in the new downtown park, since it was a public space where they could stay and was close enough to the potential job opportunities (Flannery, 1983).

The redevelopment planning that expelled homeless people through tearing down pawnshops in block 77 was ineffective, because it misinterpreted the logic of homeless people's practices. Moreover, according to Bernstein's field research, homeless people in downtown Phoenix rarely frequented pawnshops. They most likely frequented the used clothing stores to trade for cash, rather than pawnshops (Bernstein, 1972, p.49).

***The practice of homeless people reshaped the meaning of the park.***

Although the design of Patriots Park was a new attraction of downtown Phoenix, the gathering of homeless people used it as a shelter, rather than a park. The spatial practice of homeless people gradually reshaped the meaning of this space.

The designed purpose of the park was to attract people to rest and recreate as well as honor the Patriots of Arizona through granite plaques in the walks, which were inscribed with names of Arizonian patriots. Its original design won the Environmental Beautification Awards in 1976 (Arizona Republic, 1976c, pp.K9, K10) with its 120 trees, several small grassy knolls, and a modern designed fountain at its center surrounded by flowerbeds (Arizona Republic, 1976d, p.1).

As Talton (2015, p.108) criticizes, Patriots Park, lacking any delightful magnets, eventually became sunblasted and dehumanized. However, this outcome was by no means derived from the designers' oversight. From the beginning of the design process, beautifying a green public space had been central to the plan: The 120 trees comprising pine, olive, palm, and evergreen pears were selected to provide sufficient shade in the park. A 16-foot stainless steel structure sculpture was placed in the central fountain as the centerpiece of the park. Water was re-cycled through the sculpture and provided a waterfall effect (Parks and Recreation Board, 1976). The City Council also approved street vendor sales of food to make Patriots Park a "favorite luncheon spot for the downtown office crowd" (Bommersbach, 1976, p.B1). In the park, there were musical performances usually during lunchtime.

Theoretically, the original design of Patriots Park had considered almost every element of a successful park: green shade, beautiful sculpture with small waterfall, fountain, musical performance, and the special meaning for memorizing local heroes. However, the design overlooked the spatial history and the traditional practice of homeless people's practice at this location. Thus, the real practice was extremely different from the design on paper.

While homeless people camped in the park, the green shade became natural tents. Even worse, homeless people used the fountain for bathing without cleaning up. Drunkards used it as an icebox by putting numerous bottles in it (Crooks, 1979). While the musical band was playing, drunks slept in the grass leaving empty bottles of cheap

port wine on the curb (Ives, 1980). The environment of the park thus became filthy, even though the park department cleaned Patriots two or three times a day (Manson, 1982).

A planning paradox was created: on the one hand, a public space should be inviting, which means it should provide a comfortable space to attract people to gather in the space. However, on the other hand, if a public space is beautiful, accessible, and comfortable to rest, it also attracts homeless people to gather and camp in the space, who gradually change it into a shelter. In other words, the paradox created a tricky situation: a public space should be not so inviting, otherwise it would be a shelter but no longer a park.

Therefore, a strange phenomenon occurred: the park management agencies had to intentionally downgrade the condition of the park, rather than keep it in a good form. In 1981, the fifth year of the park, the fountain, which was used as bathtub by homeless people, had been dry with a sign on it warning “No Trespassing Viewing only.” Park hours also had been restricted. No one was allowed to enter from 12:30 a.m. to 5 a.m. (Hille, 1981).

A typical example of the lowering of the conditions of the park was the use of sprinklers. Craig Clifford, a tax auditor for the city, wrote a letter to the city employee-suggestion committee, recommending that the sprinklers be operated only during the early morning or late evening, because the temperature was 114 degrees. “Hot-weather sprinkling not only would burn the grass, but also waste money because the water evaporates much too fast to do much good.” Then, the committee replied that:

“The sprinkler system is operated for short periods of time to make the lawns uninhabitable for transients. A use of the sprinkler system is a much more economical and effective method of control than utilizing a policeman’s valuable time to move transients along” (Arizona Republic, 1981, p.A13). The anonymous interviewee #2 (2016 October 19) recalled that because park rangers had no weapons, turning on the strong sprinklers was the most efficient way to temporarily drive homeless people away.

In a normal situation or common sense, park management means maintaining the fountain, rather than causing it to dry up; opening the park, rather than closing it; taking care of the grass, rather than burning it. However, in the contradiction between the planning of the park and the practice of homeless people, the meaning of the space was distorted.

However, the strategy of lowering the conditions in the park succeeded only in expelling the “legitimate users” of the park rather than the homeless people. A wet park with glaring lights could still not stop homeless people from sleeping in it at night. As a result, the park management agencies had to further lower the quality of the park and make it more uninviting; the purpose is ironically to decrease the numbers of homeless people and prevent the park from completely becoming a shelter for the homeless.

While the design and original meaning of the space was totally distorted, a home for the homeless was created.

### **Dealing with a hot potato: The practice of the police.**

As another side of the coin, the police practices also promoted the spatial evolution of Patriots Park’s meaning. In this process, Patriots Park was changed from the

downtown revitalization to a great homeless shelter, and policemen experienced an embarrassing situation:

On the one hand, the public, including local residents, merchants, and city officials, criticized the police, because they believed that the only reason why homeless people could stay in Patriots Park was because the police were not tough enough. According to their role, the police department could not debate the public and deny that tough policing could protect the public and solve the problem. On the other hand, the police knew that actually resolving the homeless people problem was a “mission impossible,” not possible merely through the policing activity. Arresting a drunkard over 400 times could not stop him from returning because the public space in downtown Phoenix seemed to be the only option available to him.

In such a circumstance, the practice of the police was very subtle. It was a type of art, rather than merely a professional activity, because the public’s top concern was not the police’s authority or at least not the top priority: police needed to concentrate their efforts on solving crime cases and dealing with dangerous people because they should maintain public security, but to the people who focused on the business interests of the Patriots Park project, removing homeless people from sheltering in the park was much more important than the crime cases, because they had paid the increased sales tax for the park. If the gathering of homeless people drove the potential customers away, Patriots Park would lose all its business meaning to the surrounding merchants who once supported and paid for it.

As Sgt. Corcoran, who then patrolled Patriots Park pointed out,



“A police officer’s No. 1 concern is catching dangerous people, such as the man who stabbed two people in the YMCA parking lot. But downtown Phoenix business owners and their employees have different priorities. (Although) we’re looking for someone who stabbed two people, for the businesses, the main priority is the mentally-ill person dancing in front of the store front” (Doerfler, 1983b, pp. Extra 1, 3).

The contradiction between the public’s concern and the real responsibility of the police was the main theme that shaped the downtown police’s subtle practice.

***Crime control related to the gathering of homeless people.***

From any perspective, crime control was the core of policing activities in Block 77 both before and after the construction of Patriots Park. As a traditional gathering place of homeless people, crime issues were by no means uncommon in downtown Phoenix, albeit nostalgic thinking might imagine Deuce neighborhood as being brighter than it truly was, such as “the people are too poor. There’s nothing to steal” or “if the people there had knives, they would exchange the knives for wine”, but if we examine the reports of these downtown skid rows at that time, the public security around Block 77 was far from safe. Along with the gathering of homeless people, criminals hid in these areas and threatened both local residents and homeless people’s security.

Before the construction of Patriots Park, local residents had serious complaints about the illegal activities related to the group of derelicts, according to the then interview of *Arizona Republic*:

“There was a drunk trying to lift my lawn mower over the fence...

They (derelicts) have actually threatened me. Women on the block have been backed into buildings by these men who put their arms around them. They're always stealing items from around the houses...

I have four locks on my door. They'll even take the clothes off your clothesline. The city should do something" (Morin, 1974, p.A12).

At the same time, the crimes also or even more seriously threatened street people. Remember Benny Begay, the drunkard who had been arrested over 400 times and lived in Block 77? After he spoke of his appreciation on the opening of the new Patriots Park to the reporter of *Arizona Republic*, saying that "it was good and people had fun," later the same day, he was murdered and was found nude with his throat slashed (*Arizona Republic*, 1976b, p.B1).

Perhaps street people knew better than most how dangerous downtown Phoenix was, in particular at night when other groups of people left. For example, Melvin Willis, a street person, who lived in Patriots Park with his girlfriend, described a murder occurring in the park at 12:30 a.m., and his quick report to the local police. In this situation, the police were the only group that street people could rely upon to protect them (Crooks, 1979).

Therefore, street people in Patriots Park had an ambivalent attitude to the police: on the one hand, they paradoxically despised police harassment because they thought the police were wasting the precious policing time on them, rather than on the real criminals; however, on the other hand, they were staunch supporters of the police enforcement ability to "root out the 'the real criminals'," because street people were often the easiest

victims for being beaten, robbed, and even murdered (e.g. the interviews in Flannery, 1983; Kelly, 1980).

Meanwhile, the street-patrolling police also had an ambivalent attitude to the homeless people. In contrast to the local residents, who would usually consider the criminals on the street and other homeless people as the same group, police definitely observed the difference between “safe” and “dangerous” street people. On the one hand, when homeless people camped in Patriots Park, they of course violated the regulation of the park and illegally used the park. Therefore, policemen had the responsibility to expel them from the park. However, on the other hand, among the street people, there were Jail Trustees (Arizona Republic, 1976b), people who were keeping the peace in the park (Crooks, 1979), and others who had very good connection with the local policemen. These people indeed helped the police with security. Although ordinary residents usually did not distinguish these people from the criminals, the police did.

In this regard, the walking-beat police officers had conflicting feelings about their practice. In terms of ethics, police could easily be tough on the real criminals. However, they were also more or less sorry for other street people. When speaking of a one-legged street man who received a 10-day jail sentence, Sgt. Corcoran said that “we in the walking beat feel caught in the middle” (Doerfler, 1983b, p. Extra 3). Therefore, while some people’s solution of the homeless problem was “running them out of town,” the police could never be as tough as those people expected because this solution was normatively unacceptable to the patrolling police. As Sgt. Corcoran expressed, “what if

one of these people was their dad, their uncle, their grandfather, their son?" (Doerfler, 1983b, p. Extra 3).

In this vein, the relation between the police and homeless people in practice should not be oversimplified as merely the oppressor and the oppressed. Rather, this relationship is dialectic. On the one hand, they have contradictions. The police were indeed sending the homeless people in the park to jail, but, on the other hand, they also to some extent had close and not always bad connections with each other. Treating homeless people as tough as arresting prostitutes was impossible for the police.

It should be emphasized here that although the first design of Patriots Park did not revitalize the downtown exactly as the city officials and planners expected, the construction of Patriots Park and the related urban renewal project did contribute to crime control, from both the perspectives of homeless people and the police.

Regarding the homeless people, replacing the old town block with a public open space decreased their risk of being crime victims. While many homeless people gathered in Patriots Park, if a crime issue regarding any person occurred, others could immediately call the police. The police could thus come to save the victim in time. In contrast to the common stereotype, camping in Patriots Park with other street people had a lower risk of being robbed and beaten than living in a cheap SRO hotel. Therefore, some street people, such as Benjamin Avila who actually could afford the SRO hotel for \$5 a day, would like to sleep in Patriots Park in their workless days, because the park was a cooler and much safer place (Flannery, 1983).

As for the police, the construction of Patriots Park simplified the old town block into an open space, which was much more convenient for the police to keep surveillance in the whole block and control the crime immediately. When the police stood in the center of the park near the fountain, the police could clearly see any corner of the park. They could reach any place of the park very quickly (Anonymous interviewee #2, 2016 October 19).

The improvement of crime control after the urban renewals was also emphasized in the reported comparison of walking-beat officers' jobs before and after the redevelopments:

“Since Sgt. Wayne Corcoran started on the walking beat in 1966, the downtown and its clientele have changed. In the late 1960s, ‘We had more people in one block in one bar than we have people walking around in all downtown,’ he said. Corcoran’s squad, which includes the sergeant and seven officers, now makes about 150 arrests a month. On one eight-hour shift in 1968, he and his partner arrested more than 160 people ‘and hardly made a dent in the problem,’ he said” (Doerfler, 1983a, p.Extra 4).

In other words, if we merely consider the issues of crime control, Patriots Park worked. However, policing was a social issue much more than simply crime control. As Downtown Walking-beat officer Rod Payton said,

“We actually don’t have high crime down here. What we have is public nuisance” (Doerfler, 1983a, p. Extra 4).

***The campaign of “Downtown is fighting back.”***

In contrast to police, merchants and residents around Patriots Park regarded “nuisances” as crimes or even felonies. Since merchants paid the specific sales tax for the development of Patriots Park, they would naturally hope that the park could pay for it. Further, the merchants believed that customers, conventioners, and tourists would want to stay in their rooms, rather than spend money in downtown businesses, if the homeless people and some real hooligans were walking the streets and inhabiting the public space. In the opinions of the merchants, the real meaning of “being tough” was cleaning up the public spaces by running the homeless out. For example, an owner of a smoke shop said to the reporter that “police should make full use of nuisance ordinances and arrest transients who won’t move on” (Harris, 1979, p. A1).

Were the police able to do that? The answer is yes and no. Of course, if a homeless person merely sat on the bench in the park as other park users would do, there was no law against the person’s sitting there because Patriots was a public park that belongs to everyone. In this regard, the police could say that they had no legal authority to “run homeless people out.” However, the particular and historical background of Patriots Park was that the gathering of homeless people in Patriots Park was not for recreation or park activities. In other words, at least most of the homeless people who camped in the park would violate its regulations. For example, drinking alcoholic beverages in a public park, carrying an open glass container, begging for money, or sleeping on a sidewalk were all unlawful. Thus, the police were armed with sufficient ordinances and laws. They would have the sufficient legal authority to arrest these people in the park, which was in fact the everyday practice of the downtown police. As Chief

Charles Strong said, “the policy of the department is to arrest beggars when they are seen or when citizens complain” (Harris, 1979, p.A1).

The discussion of law enforcement practice with homeless people in the 1970s and 1980s is usually related to the revision of anti-vagrancy laws. However, the written laws were merely a related issue. The intention of police was more significant in terms of the policing practice. The understanding of the policing practice should not ignore the subjective attitudes of the Phoenix police.

Since the police were in the middle between the direct critics and pressures of surrounding taxpayers and the *de facto* impossibility of cleaning up public space merely through policing or arresting, the downtown police were in a delicate situation: on the one hand, they did hope that Phoenix could have the reputation of being a “tough town” so that at least some potential incoming homeless people would feel dissuaded from coming to downtown Phoenix. Otherwise, if every homeless person believed that camping in public spaces in downtown Phoenix was a feasible option, the job of the downtown police would be even harder.

However, the police did not want the surrounding merchants, local residents, and the public misunderstanding the complexity of the homeless problem. In particular, the police did not want the public to have an unrealistic expectation that the “tough police” could solve the problem by merely being tough because this expectation was not only impossible but also would attract more critics for the Phoenix police.

If we examine the police's discourses in public reports, interviews, and speech at that time, we will find that these contradictory attitudes shaped the policing practice. The nuanced handling of police practice made them both tough and benevolent.

With regard to the tough side, the changes in the laws did not really block all approaches for police to "run the homeless people out." Although the Phoenix police could no longer arrest people for being intoxicated in public after 1973, the downtown walking-beat officials sent chronic street alcoholics to the local Alcohol Reception Center (LARC) and arrested those carrying bottles of wine or liquor (Doerfler, 1983a, p.Extra 4). Of course, LARC was about sending chronic street alcoholics into treatment rather than jail, although there is a rumor that the treatment was not always benevolent, particularly in the process of enforcing bodily hygiene. Regarding the people who were merely concerned about "running them out," sending "them" to LARC or jail did not matter, as the alcoholics were soon back in public spaces from either LARC or jail.

The further plan was that after five days of treatment at LARC, the alcoholics would be sent to the aforementioned "work farm for drunks" far from downtown Phoenix. Those who had been committed by the court would spend 28 days in this remote farm (Doerfler, 1983b, p. Extra 1).

In this regard, the laws indeed were no-nonsense and authorized sufficient legal power to the Phoenix police to control the "unacceptable behaviors." Although being intoxicated was no longer a crime, "panhandling, public drinking of alcohol, trespassing, littering, assault, sleeping or lying on public property, disorderly conduct" were still illegal (Hille, 1983, p.A14).



In addition to the established approaches to get homeless people out of public spaces, the City of Phoenix spared no effort to shape the atmosphere that Phoenix was a tough place for the homeless. In the 1983 the campaign called “downtown is fighting back” was launched with the police chief’s speech, with some 300 people in Patriots Park. This campaign held by the Downtown Crime Task Force aimed to “rid Phoenix of law-breaking vagrants,” and Police Chief Ruben Ortega said his department backed it (Arizona Republic, 1983). The campaign generally intensified downtown policing and aroused social attention to the vagrant problem and the related policing activities. The number of policemen on the downtown walking-beat had been doubled during the campaign, while the downtown had already obtained the best police coverage before the campaign (11 officers on duty during the day and 15 during peak night hours) (Hille, 1983; Hrnicek, 1981). Moreover, the police department advocated and provided publicity for the “get-tough” attitude. The Downtown Crime Task Force of Phoenix started an advertising campaign by printing twenty thousand brochures.

The red cover of the brochure proclaims in bright white letters, “Why are 31,000 people afraid of this man?” The photo is of a disheveled figure, back to the camera, lying in the grass beside a sidewalk. The answer to the question printed inside is, “Because his behavior is unpredictable” (Hille, 1983, p.A14).

This was a significant change in the police’s discourse. The underlying implication of this advertising campaign was that the police would follow the local merchants and residents’ preference of tough treatment for public nuisances, rather than attempting to distinguish “dangerous” transients from other homeless people. If

someone's behavior was "unpredictable," it meant that he or she was "dangerous" and scaring other legitimated users of public spaces. As Sandy Ravel, the then chairman of the task force's public relations subcommittee expressed, the task force's theories were based on "tough love," which was an increasingly popular philosophy for parents with "intolerable" children (Hille, 1983). Homeless people were understood as another form of problem children. As Dennis Mitchem, the head of the Downtown Crime Task Force, said, "by 'getting' tough with vagrants, their behaviors eventually will change" (Human Rights of Arizona, Inc. ,1983 ).

Whether police should treat homeless people differently based on their different cause of being homeless was a longtime contradiction between the police and the local merchants. To the local merchants, laws should be enforced based on people's behaviors, while the police believed that without well-directed policies, policing the downtown public spaces would be a relentless mission. However, the campaign of "downtown is fighting back" was a typical case that the police almost completely duplicated the discourses of downtown merchants, rather than attempting to explain the particular difficulty of everyday policing. The idea of this campaign was encouraging people to change their attitudes of apathy and sympathy. As the supporters of the campaign said, this campaign hoped people could contribute to a "turn your head and hope they'll go away" outlook (Murphy, 1983a).

However, although the downtown police fulfilled and responded to the requirement and concerns of local merchants and residents through presenting and advertising its getting-tough attitude, the campaign of "downtown is fighting back" did

not actually respond to the causes of homelessness; more importantly, it did not reflect the actual everyday policing practice of patrolmen in public spaces.

Law enforcement was still an expensive revolving door, involving the LARC, county jail, and the Patriots Park. The walking-beat officials could technically extend the length of this cycle because they were familiar with who was staying in the park, but they could not stop the cycle. For example, an official named Casillas usually ticketed the homeless people with open bottles in Patriots park, rather than arrest them, because:

“Ninety-nine percent of the time, they won’t appear in court, the judge will issue a warrant and we can keep him in jail for a longer time than on the original incident” (DeUriarte, 1983, p.B1).

However, after the extended detention, the previously detained person would come back to Patriots Park and commence another new cycle of the expensive revolving door. In this regard, changing homeless people’s behaviors by the so-called “tough love” was almost impossible. As Sgt. Corcoran said, “when you arrest the same man 70 times, it’s not the law that’s at fault” (DeUriarte, 1983, p.B1):

“(Sgt.) Corcoran and Officer Rudy Casillas find Elwood Hunter passed out on the grass (in Patriots Park). ‘What are you doing here, Elwood,’ Cocoran said. ‘Last time you promised me you wouldn’t come back here.’ He helps Hunter to his feet, then calls the Local Alcoholism Recovery Center truck” (Hille, 1983, p.A14).

That is the reason that the number of homeless people seemed to be constant despite the campaign, albeit the homeless man who was sitting in Patriots Park said “Yeah, there are cops all over” (Hille, 1983, p.A14). In this vein, the intensifying policing

and advertising the “getting-tough” attitude was more a response to the surrounding taxpayers, rather than a real solution. This campaign was ended very soon after Mr. Goddard becoming the new Mayor of Phoenix in 1984, but the reason why the police had to show their toughness in this campaign was rooted in the longtime public perception around Phoenix.

### **The Public Perception: Another Face of the “Eyes on the Street”**

In 1979, the City of Phoenix did a study of a 15-year plan for downtown Phoenix, in which the consultants pointed out that “crime is more a perception than a reality in the downtown area, but we do suggest more and more visible beat policemen” (Wilson, 1979, p.A1). The meaning of a space is not merely derived from the physical reality. The perception also shaped the downtown space, and thus created the associated demand of spatial practices.

From the analyses of the planning ideologies and spatial practice in Patriots Park, public security, in particular the problems related to the homeless were the main contradiction related to the park. Although geographically simplifying the old town block into an open space technically reduced the crime rate, the publicization of the old town block as well as the construction of the park intensified local merchants and residents’ worry regarding the potential danger, rather than form a healthy atmosphere of citizen vigilance. As interviewee #3 said,

“I do know many small businesses moved because of weak city response to the vagrants. This abandonment by business cost ‘eyes on the street,’ to use Jane Jacobs’

term, and contributed to downtown's decline" (Anonymous Interviewee #3, 2017 January 10).

The idea of "eyes on the street" comes from Jacobs' (1961) influential study, *The Death and Life of Great American Cities*. The key idea of this phrase is that the shopkeepers and local merchants could form an intricate and unconscious network of voluntary controls, because they take an active interest in the surrounding public security. Moreover, local small businessmen would be strong proponents of peace and order, and would enforce the standard by themselves, because they hate broken windows or having customers made them nervous about safety.

However, we should not take the "eyes on the street" for granted, when we examined downtown Phoenix's history. If we apply Jacobs's theory of "eyes on the street" in the case of Patriots Park, we will find that this theory could not interpret the history of Patriots Park, due to the different perception of "safety" among different groups.

In Jacobs' theory, public security is a general concept. This theory does not distinguish crime, public nuisance, inadequate hygiene, and even the hate against specific groups of people, under the superficial advocacy of peace and order. This ambiguity of security blurs contradicted perceptions of security from diverse groups. Thus, it runs the risk of taking an organic vigilance network for granted and underestimating the difficulty of forming such a network.

As the analysis of spatial practice in the last section explores, the police, city officials, and local business owners actually had different priorities toward the project of

public space construction. Without understanding these different themes in the public perception, we cannot understand their practice.

In any historical study, examining public perception is always a difficult element. The numbers of people who could speak out in history were usually limited. Thanks to the intensive interviews and reports related to Patriots Park in *Arizona Republic*, we can still summarize the main themes of different groups' concern in the 1970s and early 1980s. Because the perception summarized here is not derived from a random sample, we cannot generalize them to the all Phoenix residents at that time. However, since these perceptions actually existed at one time, to use Lefebvre's term, they had the "real content" of different themes related to Patriots Park (Lefebvre, 1968, p.42).

In terms of the city officials, the perspectives related to the Patriots Park project could be categorized into four themes: the advocacy of publicizing property ownership, the rationales of downtown redevelopment, the meaning of the landscape design, and the security issues.

Changing the space's property into a public ownership was supported by three elements of concerns. Downtown revitalization was widely believed as a government responsibility. The city officials also believed that the city government should upgrade the downtown areas to help it win the competition between other suburban business districts. Therefore, government-owned property was an appropriate way for government to implement the redevelopment policy (Turco, 1982c). This idea was not constricted to the discussion of Patriots Park. Even regarding other nonpublic space, such as office tower, garage, hotels, and other related downtown redevelopment projects, the city

government would need to buy back the new developed facilities in case the development was unsuccessful was a common concern (Turco, 1982a). Moreover, the spatial publicization was also considered as a powerful approach to bring public funding investment into the downtown real estate market (Arizona Republic, 1982) as well as speed up the redevelopment project by using eminent domain power (Reeson, 1980).

In addition, the redevelopment was based on the belief that after demolishing the downtown skid rows, more people would come to the downtown and that the downtown business atmosphere would thus be enhanced in account of more customers. Then, the investment of public funding would result in a significant capital return (Arizona Republic, 1971b; Morin, 1974; Price, 1981).

To finish such a redevelopment cycle, beautifying the downtown and expelling homeless people were necessary. Otherwise, the downtown investment would be not financeable. It would take a risk of the investing money, “because of poor access and limited parking” and “derelicts lounging in the parks” (Sowers, 1982, p.A1).

In contrast to the city officials, the surrounding merchants and residents were discontented with the city government related to the downtown redevelopment. The local business owners believed that the revitalization of the downtown business atmosphere was based on the local small businesses, rather than the office tower or luxury hotels (Prins, 1980). In this regard, the local business owners had different opinions toward the business revitalization with the city government.

More importantly, the local businesses felt discontented that the public space of Patriots Park attracted more homeless people from elsewhere (to some extent, they are

right), while the business owners in the downtown had to pay the special sales tax to cover the cost of the downtown redevelopment project including Patriots Park (Harris, 1979). The increased numbers of the homeless population in Patriots Park made the local business owners upset, feeling that the city government merely forced them to address the transient problem (Hrnicsek, 1981). This belief also created several strategies in expelling transients and even fighting with them. Enforcing some standards to decrease the crowd in the stores, such as “no more than 3 in a group” was another important strategy (Harris, 1979, p. A1).

The most important reason for the local business owners having an aggressive attitude to the homeless people was that the homeless people staying in Patriots Park damaged the business benefit of the local merchants, especially in the 1970s and 1980s while the customer loss was also increased due to the decrease in the downtown residential population (Morin, 1974). The homeless people did not bring many criminal cases. However, the vandalism and theft significantly hurt local business, albeit some of these people also spent money in the surrounding shops to buy foods and necessities (Hrnicsek, 1981). Moreover, a shopkeeper would face a significant profit loss if transients with mental illnesses hassled customers and women who were passing by their shop (Harris, 1979).

More importantly, the local business owners also disagreed with the police in terms of surveillance. As the previous section mentions, regarding local business, public nuisance created more damage and cost the business owners more than violent crimes, albeit the police obviously concentrated more on real crimes. Because of public nuisances,



theft, and vandalism occurred more frequently than more serious crimes, for which the cost to business owners was more, but to a large extent, because these cases were not very serious compared to real crimes, calling the police would not always help. In some cases, calling the police would cost business owners more time and money. For example, Gary Rickles, owner of Gary and Sue's Smoke and Gift Shop, said vandalism and theft were his most common problems. However, he did not contact police when a person vandalized or stole because of the time involved in filing a report. "People here have given up with telephone calling," he said. "It doesn't do anything for us" (Hrnicsek, 1981, p.A2). Then, this situation created a vicious cycle, and created a chaos atmosphere. As Rickles said, his customers observed many of the transients across the street at Patriots and thus were afraid to "walk half a block" to his store (Hrnicsek, 1981, p.A1).

However, despite the discontent, the local business believed that the walking patrols and the appearance of walking officers in the streets were effective to control the potential disorder, vandalism and theft (Hrnicsek, 1981). Thus, the local shopkeepers, on the one hand, appreciated patrolling officers' help. However, on the other hand, shopkeepers were not happy to form a voluntary surveillance network as "eyes on the street." They attributed the problem of security to the insufficient police patrols, after building the Patriots Park: "we need more police down here to do a job rather than to pick up on parking meters. As a shop owner, I have to be on the lookout all the time" (Hrnicsek, 1981, p. A2).

In terms of public security, the police had different perspectives from the local merchants. First, the crime rate in the downtown areas was not high. Although walking at

night might be dangerous, the public security of Phoenix was not worse than other metropolis' downtowns (Whitney, 1981). Moreover, there was sufficient police coverage in downtown areas (Hrnicsek, 1981).

However, the gathering of homeless people could not be changed merely through policing. The problem of homeless people was a social problem with diverse causes. As officer Bud Vasconcellos, who knew most of the downtown transients by sight, said that most of the downtown transients had drinking or mental problems. If the government did not provide sufficient funding for relocating previous Deuce residents or providing more medication for people who had mental problems, policing would not be able to reduce the homeless population in Patriots Park (Hille, 1983, p. A14).

Then, although these people usually did not bother anybody, potential customers would feel scared because of the terrible hygiene of the transients and the unpredictable behaviors of the mentally ill. As Sgt. Corcoran pointed out,

“You have people who have communicable diseases, tuberculosis, amputees, very old. You have people... who have lice, crabs, body fleas. You think they're wearing shoes, when, in fact, it's dirt. They may scare them (business owners and employees) because of their smell, their looks or their manners, but it doesn't mean they'll hurt them,” (Pointing to a drunk sitting under a tree in Patriot Park) “ ‘That’ scares an awful lot of people. ‘That’ couldn't take your purse if he wanted to” (Doerfler, 1983b, p. Extra 3).

However, the police knew that the local businesses cared about customers being scared away more than they cared about crimes. However, without a significant improvement in the social relief and welfare, the only thing that the police could do was

to arrest the same transients again and again, until the walking-beat officers knew most of the downtown transients. “When you arrest the same man 70 times, it’s not the law that’s at fault” (DeUriarte, 1983, p.B1).

In this regard, from the police’s perspective, closing Patriots Park would be the easiest way to control the gathering of homeless people and fulfill the requirements of local business owners (Manson, 1982). Since the city officials and park board did not want to close Patriots Park, increasing patrols and teaching downtown business employees self-defense techniques were another solution.

“The officers explain to business owners how to react to burglaries and how to secure their buildings. Some stores have added metal gates that extend from the ceilings to the floors, preventing transients from entering the doorway and urinating—a common practice” (Doerfler, 1983b, p. Extra 1).

In terms of public security, the perspective of homeless people in Patriots Park was similar to that of the police. Homeless people also focused on the violent crimes, rather than public nuisance. In this regard, homeless people believed that Patriots Park strengthened the local security and helped to control the crime rate (Crooks, 1979). However, homeless people also complained about the public space as a business-oriented redevelopment. The city government demolished the old block and replaced it with expensive office towers, rather than paying more attention to other residential amenities: “It’s getting more and more like a business town. It’s nothing like it used to be, with all these business people around, since they tore out everything” (Hille, 1983, p. A14).

In this regard, the perception of different groups of people toward a public space could be diverse. Different groups of people might understand the same Patriots Park from different angles. More importantly, there was not any taken-for-granted “ally” across groups. Although business orders were related to peace and order in the street, it did not mean that they would understand the so-called “peace” and “order” in the same way with the local police, as the theory of “eyes on the street” supposes. In addition, the police were not only the law-enforcement machine of the city officials. They had their specific understanding of the space, during their everyday interaction with homeless people and local merchants around the space. The assumption that everyone will benefit from peace and order is not sufficient to prove that all related groups would voluntarily cooperate with each other to form a vigilance network, because the meaning of Patriots Park to different groups was different.

In terms of the downtown revitalization, the city government actually understood Patriots Park and its parking garage as the supporting facility to the surrounding office towers. The business revitalization here was defined as the replacing the old structures with high-rise skyscrapers as well as attracting more big companies located in downtown areas. However, as for local business owners, residents, and homeless people, an authentic downtown revitalization meant more residents, residential amenities, grocery stores, and more customers for the local small businesses. Homeless people and residents needed residential amenities for their everyday lives, while local merchants needed more customers living there, rather than working people who just leave at night, making

downtown Phoenix a ghost town. In this vein, homeless people and merchants stood together.

However, in terms of public security, the local merchants and the city officials held the same stance in that they did not distinguish homeless people from criminals, because the appearance of homeless people scared others. Regarding the local businesses, the public nuisance was more dangerous than violent crimes because it drove customers away. However, the police and the homeless people in Patriots Park understood the diversity among people who camped in the park. Both of them took arresting the real dangerous violent criminals as the top priority, rather than arresting the mentally ill. This difference led to the merchants' complaining that the police did not help and wasted time and resources, although the police were effectively controlling the violent crime rate, rather than merely concentrating on parking meter violations.

Therefore, the theory of "eyes on the street" faced a great paradox in the case of Patriots Park: if we understood the concept of "peace" and "order" according to the crime rate, the homeless people in the park actually were a group of these "eyes." They saw the crimes, reported to the police, and sped up the police's response. However, if the "peace" and "order" was defined as expelling homeless people from downtown Phoenix, the downtown policing could not fulfill this requirement because the gathering of homeless people was a social problem, rather than one of violent crimes. The homeless people still came back in front of the merchants' stores after being arrested over 400 times. Then, without the substantial support from public policies, the "eyes on the street" did not create the peace and order atmosphere as the merchants wished.

At the end of day, the “eyes on the street” was based on the same identification of crimes and the substantial policing surveillance. If the threat of public security is not a crime, but a social problem, the “eyes on the street” will not work.

## CHAPTER 9

### TRANSITION PERIOD: FROM PEOPLE PLACE TO LOST SPACE

This chapter focuses on the history of the second Patriots Park from 1988 to 2007. The history of the spatial evolution in this period represents the dynamic of a space: after the park to a large extent played the role of a “people place” in its first four years, the park degenerated back into a camping place for homeless people. As Lefebvre emphasizes, space is not stable or an unchangeable physical “container.” A space is constantly reproduced, distorted or displaced (Lefebvre, 1991, p.42). While the space is distorted, the ideology of the original plan is not necessarily wrong or false. But rather, the internal contradictions within the space drive the spatial evolution into a different track from the official plan.

Similar to the first Patriots Park, which had a long planning process since 1957, the second Patriots Park was conceived as early as in 1981, seven years before the second Patriots Park’s grand opening. The historical background of the 1980s was significantly different from the era of Urban Renewal. In terms of downtown revitalization, the officials and planners in the 1980s were not so tightly associated with publicization and real estate condemnation. More importantly, gentrification had a great influence to the downtown public space redevelopment in the 1980s to 1990s in the United States, such as the cases of the Lower East side of New York City (Smith, 1996), the fan area of Richmond, and Georgetown in Washington, D.C (Hutter, 2007, p.264 ). The economic logic became an important standard to evaluate the rationality of a redevelopment plan. Stimulating downtown economy, bring rich customers back to downtown, and leveraging

private investment to increase downtown tax base and business values were important concerns.

Within this historical background, the city of Phoenix in the 1980s on one hand attempted to construct a “people place” to resolve some social problems, such as decreasing the population of street people in Patriots Park, relieving the tension between urban cruisers and downtown residents, and so on. However, on the other hand, the park was legitimized by economic rationality. The city government persuaded the surrounding business owners to support the redevelopment project by the political promise that the growth of business would cover the cost. Then, while the political promise did not come true, the abandonment of the park became a rational strategy to stop loss. This abandonment directly reshaped the practice within the park, and fostered the discontent to government-owned public space.

This chapter describes a full process of the spatial distortion of the second Patriots Park. In this process, the tiny details of practice and people’s perception continuously and cumulatively influenced and reshaped the space before a dramatic policy change, and then founded the basis for an even greater future change.

### **Planning Ideologies: The Influence of Jacobs’ Theories**

As the previous chapter described, the tension between homeless people and the downtown merchants and workers was aggravated by the construction of Patriots Park, while the downtown police were trapped in an endless cycle of arresting homeless people, sending them to jail or remote work farms, and then seeing the same homeless people in the park again and again. Under these circumstances, the claim for closing the park or at



least redeveloping it had appeared as early as 1981, although the park had been used for only five years, since 1976. Almost everyone said the park should be improved and redeveloped, but what should be the new direction of the redeveloped Patriots Park was the key question.

In the early 1980s, the perspectives of city officials and urban planners were still formed by the demolition-oriented and economic-central planning theories, evidenced by the planning documents of Patriots Park passed in the early 1980s. For example, the Park Board Report on February 3rd 1982 identified the following improvement direction as “improve design for better use by performing groups, special events, etc.,” through improving “staging area or amphitheater for large gatherings” (Parks and Recreation Board of Phoenix, 1982, p. 12). It did not respond to local merchants and residents’ concerns about the homeless people issue regarding the park.

On April 6th 1982, Mayor Hance and the city council passed the Patriots Park Redevelopment Plan (Resolution No. 15815), which represented the prevalent urban renewal thinking in the 1970s. In this plan, there are eleven “objectives and principles” of the “Patriot’s Park Redevelopment”:

“a. Eliminate and prevent the recurrence of substandard and obsolescent buildings, slum conditions, and environmental deficiencies which detract from the functional unity, aesthetic appearance, and economic welfare of this important section of the city.

b. Provide a hospitable and secure environment for continued private investment and thus maximize opportunities for such investment.

c. Strengthen the basic attractiveness, efficiency and effectiveness of the economy of downtown Phoenix and the city of Phoenix.

d. Increase and improve the quality and accessibility of job opportunities in the city and for residents of the downtown area.

e. Strengthen the tax base of the City and the fiscal condition of public agencies serving Phoenix.

f. Create a sense of community and neighborhood within the downtown area to enhance its attractiveness as a place in which to live, work, and play.

g. Help build a sense of regional identity and community.

h. Protect, improve, and make effective use of desirable natural and man-made environmental features and conditions to enhance human comfort and economic activity.

i. Provide the highest possible levels of opportunity and amenity for pedestrian movement throughout the downtown area, especially in the most densely occupied activity areas.

j. Reflect high standards of appearance in building design, landscaping, lighting treatment, and sign control.

k. Strengthen and expand Downtown's role as the major office center of the state" (City of Phoenix, 1982, p.5).

Among the eleven objectives and principles of Patriots Park redevelopment, six objectives are directly related to the economy (economic activity), investment, and the tax base, with an objective that was to strengthen the downtown's role as the major office center of the state. Another objective referred to the sense of community and

neighborhood, but the purpose of creating the sense of community was still attracting people to live, work, and enjoy themselves downtown. None of the objectives were related to shaping Patriots Park as an authentic inviting public space, albeit it is the Patriots Park Redevelopment Plan. It is clear that in this plan, the concerns of economic stimulation outweighed the thinking for shaping the park as an inviting public space. Although the objectives above might sound different from the plan for a park today, they represented the planning understanding of the original Patriots Park as well as the supposed functions of a public space under the leadership of Mayor Hance's administration.

Additionally, in this plan, the building condition of Fox Theater, directly east of Patriots Park, was identified as beyond repair. Eventually, Block 22, the site of the theater, was torn down completely as a part of the Patriots Park redevelopment project.

As Talton (2015) summarizes the downtown redevelopment in this period,

“As the economy recovered from the 1974 recession, Hance easily got behind the growth machine. Her leadership looked a lot like the CGC's<sup>6</sup> ‘businessmen’s government’—only without the CGC... while Phoenix grew north and west, Hance presided over considerable damage downtown and in the central core. Jane Jacobs’s teachings were far from her skillset” (p. 108).

However, the re-thinking of the downtown redevelopment project, such as Patriots Park occurred in the 1980s. Then, the subsequent Mayor Goddard administration changed the guiding theory of downtown redevelopment; or in Talton's (2015) words,

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<sup>6</sup> CGC here is for Charter Government Committee.

“Goddard was the most urban-savvy mayor in the city’s history; he had read and absorbed the lessons of Jacobs” (p. 110).

The redevelopment planning of Patriots Park under Mayor Goddard and his city council’s leadership had a hefty dose of Jacobs’ planning theories. However, the park’s redevelopment did not achieve the goal as Jacobs supposed. The redeveloped Patriots Park, a supposed “people’s place” finally became a downtown “lost space” that was *de facto* abandoned by the city government. This chapter will explore this process and explain why the evolution of the space departed from the planned track. It will begin from the review of planning re-thinking in the 1980s.

### **“Crowd control,” rather than “fighting back”: the new identification of the homeless people problem**

The gathering of homeless people was the most prominent problem of the first Patriots Park. While every city official and urban planner considered the redevelopment of the first Patriots Park, reducing the population of homeless people camping in the park would always be an important assignment of the city government. From the perspectives of Mayor Hance’s administration and her city council, the gathering of homeless people was derived from the lack of tough policing, and thus, the police should correct the inappropriate behavior of homeless people through the “tough-love” approach. The campaign of “Downtown is Fighting Back” was the result of such belief. The advocacy of tough policing believed that once the police became tough enough, the homeless people in Patriots Park would flee.

However, Mayor Goddard and his city council did not agree with the perspective of “tough-love” or the oversimplification of homeless people as naughty kids with inappropriate behaviors. As early as becoming the mayor-elect, Goddard criticized the belief of “tough-love” and more importantly noted that the blind belief of tough policing was aggravating the problem, rather than solving it.

“The main thing we’ve done here is pass tough laws on the one hand and haven’t taken care of the responsibility generated by the tough laws on the other hand,” then Mayor-elect Goddard said, who believed that the obligation of taking care of homeless people arose from the city’s tough ordinances on vagrancy (Hall, 1983, p. C2).

Specifically, in terms of the homeless people in Patriots Park, the then mayor-elect criticized the policies and decision of the previous administration after a meeting with Police Chief Ruben Ortega.

The new mayor agreed that a massive rise in police officers assigned downtown in the campaign of “Downtown is Fighting Back” had increased the safety of workers and conventioners, and would not reduce the downtown patrols. However, the improvement in public security failed to address the real issue of the homeless problem.

First, in contrast with Mayor Hance’s administration, Mayor Goddard believed that the gathering of homeless is “not a police problem,” but rather a “crowd control problem.” Goddard supported the perspective of the downtown police officials that if police had to arrest the same street people over 40 times and still found them in the same downtown place, it was no longer a law no matter how tough the written law was. As

Mayor Goddard summarized, “it’s a crowd control problem that they (police officials) have, not a law enforcement problem”(Hall, 1983, p. C2).

While the city advocated the tough policing and the campaign of “Downtown is Fighting Back”, the city government in fact forced the police to do the jobs that social services were supposed to do. “They’re (police officials) becoming counselors on the street, they’re jolly along alcoholics and trying to keeping them from hurting themselves. That’s not their job” (Hall, 1983, p. C2).

In addition, the taxpayers’ burden was increased, while the city forced the police to do the social service jobs, because the cost of policing was usually more expensive than a new shelter or public facilities for homeless people. The Homeless should be “the burden of social-service agencies rather than the police. That means that much more police power gets back out in the rest of the city. It’s a savings of our public money. Cops are very expensive social workers” (Hall, 1983, p. C2).

More importantly, Mayor Goddard believed that the phenomenon that society would like to pay more for the policing and passing further tough laws than constructing necessary facilities for street people was emotional, rather than rational. Society, on the one hand, would not like to help homeless people, but on the other hand, fear homeless people occupying their public facilities. Thus, closing the necessary public facilities or downgrading the quality of public facilities so that homeless people would not use them became a logical result, which was exactly the witnessed change of Patriots Park. As Mayor Goddard said,

“One of the problems is that we’ve gotten so paranoid about the homeless that we’ve denied a lot of public facilities for the benefit of everybody. That means that all of our quality of life is suffering, because of a real worry that somebody might use them who doesn’t look quite right. And that’s serious” (Hall, 1983, p. C2).

The new Mayor was not the only person who criticized the oversimplification of the homeless issue as a law enforcement problem. The Arizona Coalition for the Homeless estimated approximately 1,200 to 1,500 residents of SROs lost their homes between 1975 to 1985 because the city tore down three SROs to build Patriots Park and five to make way for the Phoenix Civic Plaza Convention Center (Patterson, 1985). While these people lost their homes because of the city’s redevelopment project, they were not able to find alternative residential options to \$ 160 a month in 1985 (the average rent charged by a Phoenix SRO). As Fred Karnas, the then co-chairman of the coalition for the homeless, said, “I’m comfortable in saying there are no alternatives at this point” (Patterson, 1985, p.S20) More than one thousand people lost their homes and did not have any alternative options, and the hope that tough policing and arrests would make this group of people able to afford a more expensive residential lease did not make sense.

Similar to the previous SRO residents, another significant group who camped in Patriots Park was also the victim of the change in public policy: the mentally ill. There were 7,800 people in Arizona who were considered chronically mentally ill in 1985 (La Jeunesse, 1985). Before the implementation of the policy of “deinstitutionalization,” the mentally ill were treated at the Arizona State Hospital, albeit many such patients could only be treated but could never be cured. However, the policy of “deinstitutionalization”

pledged to shift the burden from the state hospital to a community-based mental health system, which in fact drove thousands of the mentally ill to the street. These people could see things that were not real and hear voices that did not exist. For example, Jeff Hawn, a then 30-year-old paranoid schizophrenic, who thought he was guarding a military base and stashed his food in the bushes in city parks, was unfortunately killed in 1982 when police mistook his pellet gun for a revolver (La Jeunesse, 1985). Gradually, society realized that replacing social services by policing was not right. The policy of “deinstitutionalization” was criticized by the Arizona Senate by both parties: Senate Majority Leader Bob Usdane, a Scottsdale Republican, criticized that “Arizona doesn’t have a system to care for the mentally ill. What we did with deinstitutionalization was open the doors of the state hospital and tell them to get out.” Senate Minority Leader Alfredo Gutierrez said “the system is in a shambles, and as far as I’m concerned, we’re all culpable” (La Jeunesse, 1985, p. A14).

Then, while society gradually changed its attitude and the belief that tough enough policing could simply scare off homeless people, attracting more people to downtown public space became the most prominent belief that could decrease the homeless population in Patriots Park. Encouraging more residents other than homeless people to gather in the park became a new planning ideology in this period and took the place of the “tough-love”.

**“People place,” rather than “office center”: The new identification of public spaces’ functions.**



The aforementioned quote of the objectives and principles of the 1982 *Patriots Park Redevelopment Plan* presents how seriously the economic-oriented thinking once dominated the city's plan of a public space redevelopment. A public space was understood as a tool for attracting investment, expanding the tax base, and stimulating economic activities, rather than as a necessary public facility contributing to people's lives other than merely through the market.

However, in the 1980s, the claims of "people place" gradually became significant. The city officials, planners, scholars, and ordinary residents started to evaluate public spaces through a different standard. Under these circumstances, the concept of "people place" emerged in the discussion of Patriots Park and related downtown redevelopment.

In terms of Phoenix downtown redevelopment, perhaps one of the most early uses of the concept "people place" in local mass media is found in the interview of Richard Counts, the then City Planning Director, and Architect George W. Christensen in 1983 (Rigberg, 1983).

Although Counts believed in centrally situated high-rise buildings in downtown Phoenix, because that would utilize to the fullest extent the infrastructure the city has provided, Counts also admitted that downtown Phoenix was not what one would call a "people place," which should be "a place for friends and lovers. It is that simple. It's a place where you can have a sandwich or a drink with a friend, or take a stroll with a girl, or take the kids shopping," as Christensen described (Rigberg, 1983, p.5).

Specifically, in terms of the downtown redevelopment projects, Christensen criticized that "it (Civic Plaza) is primarily a hardscape. A hardscape is concrete,

fountains, walls, steps. But there is no place to take off your shoes and run in the grass. We had the experiment of Patriots Park, of course, and I am glad it was tried, but ...” (Rigberg, 1983, p.5).

The central idea here of the concept of “people place” is humanizing the city and giving the outdoor areas the allure of people places. The objectives of Patriots Park, a public space, should be identified as a process to humanize the downtown, rather than merely being an unnecessary amenity of the surrounding office towers under the planning objective of “strengthen and expand Downtown’s role as the major office center of the state” in the previous park redevelopment plan (City of Phoenix, 1982, p.5).

Developers of Phoenix in the 1980s also started to emphasize the significance of people and people’s lives, as important as the consideration of real estate investment. A space should be humanized and attractive to the tourists and residents alike.

Phoenix developer Julian Blum explained the meaning of making downtown a “people place” even at nights and on weekends in this way: “Today, people coming to conventions, when it’s over in the evenings, get on buses and go to Scottsdale. What we intend is to have buses in Scottsdale bring them back into Phoenix” (Shanahan, 1984a, p.A1).

Similarly, the city officials, such as James Forsberg, the director of the Central Phoenix Redevelopment Agency, also appreciated the idea of “people place,” which means the mixed-use business, cultural and people center that would “foster a lively 24-hour core” (Schwartz, 1984, p. V18).

To summarize, although the exact content of “people place” might be nuanced among planners, developers, and city officials, compared to the public space planning in the previous downtown redevelopment periods since the 1950s, the role of Patriots Park was no longer understood as a stimulation of the real estate investment for the surrounding office towers. People’s use, interaction, and activities within the public space were the cause of increased concerns. City planners hoped a public space could provide an open space for outdoor activities and strengthen the social interaction and integration. The developers hoped a “people place” could be a magnet that attracted more people and customers to downtown Phoenix, while city officials expected the mix-use center could shape the identity of downtown Phoenix as the core of the metropolitan areas. Creating a public space that people would want to come to and use became the new standard to evaluate the public space redevelopment project.

**“Market failure” rather than “skid rows”: The new identification of the cause of downtown decline.**

In the 1950s to 1970s Phoenix downtown redevelopment had wiped out the skid rows as the central concern of the project. At that time, people believed that once downtown Phoenix eliminated its skid rows, its existing facilities and amenities would automatically make the city competitive with the suburban areas again. Publicizing downtown space by eminent domain power was a necessary step to guide the city development into the right track without the historical skid rows. In other words, the market mechanism and its logic would stop the downtown decline, because without skid rows downtown Phoenix was supposed to be profitable and attractive to private business.

However, the policy practices of the urban renewal in the 1970s show that urban renewal was not so automatic and could not be taken for granted. In the 1980s, especially in Mayor Goddard's administration, the decline of Phoenix downtown was considered the result of "market failure," rather than simply the outcome of the existence of skid rows.

As Jim Forsberg, the downtown-redevelopment director, explained, "central Phoenix has been a failure of the private sector and, therefore, needs government intervention and assistance" (Shanahan, 1984a, p.A1). Merely demolishing old structures was only one step. The city government should have done much more and played a deeper role in the downtown revitalization than merely demolishing the old town blocks with its bulldozers.

However, it should be clarified that "market failure" in the planning ideology of the 1980s does not automatically mean that government would be more successful. Rather, it means without rational and comprehensive governmental planning, the market system would not automatically revitalize downtown Phoenix or overcome the absence of the city government. In this regard, the fate of downtown revitalization depends on the city government, rather than private sectors. If a city government does not fulfill its responsibility, the market system will not work. As Mayor George Latimer of St. Paul, Minn. summarized this perspective in discussing Phoenix downtown revitalization, "the people have to gather together and act. There is not an invisible hand that will do it for us" (Lobaco, 1989, p.B2).

Specifically, in the 1980s planning perspectives, there were three main reasons why the market could not automatically revitalize downtown without good government assistance and leadership:

First, careful planning is the city government's responsibility and is significant for downtown revitalization. If the government merely relies on the market signal and follows the short-term demand in the market, the downtown construction might be disordered. In this regard, the government should provide a foreseeable future to the private investors. A comprehensive, and more importantly, stable plan for the downtown redevelopment is necessary and was lacking in the previous Patriots Park development. For example, Professor Bernard M. Boyle, then chairman of the Arizona State University department of planning summarized the short-sighted planning of Patriots Park:

“Back in 1968 they decided to put a public facility where there were no support services. They had to go around destroying all the adjacent buildings in order to create support services which were not planned in. They arranged to have hotels built downtown and then they discovered there were no restaurants. They also discovered there wasn't a transportation nexus there. So they tore down a building they didn't like the look of and they built a bus station on that site. Then they discovered there wasn't any entertainment there. They needed a movie house or something. The movie house had been the building on the site they had cleared for the bus station!” (Rigberg, 1983, p.5)

This is a fair review of the disorder and short-sighted redevelopment in the Patriots Park areas in the 1960s to 1970s. At first, Patriots Park was constructed to be one of the “support services” to the new convention center by completely demolishing old

structures. The Fox Theater, directly east of the park, was considered antiquated and was replaced with a bus station. Then, people found that entertainment was also necessary as a support service.

Subsequently, a vicious cycle was created by the chaos of planning. The private businesses had been reluctant to invest downtown because of “iffy plans and surrounding condemnations” (Shanahan, 1984b, p.A2). As Carmen Rios, the owner of Seibert’s Catholic gift shop, complained, she had to move once due to the project of downtown redevelopment, but the building she left still remained standing seventeen years later (Shanahan, 1984b, p.A2). Clearly, if the government did not plan the redevelopment carefully, the market system itself would not be able to comprehensively plan the redevelopment and change downtown Phoenix.

In addition, in the 1980s, Phoenix city officials and the academic community believed that private real estate investors might have different individual interests from the commonwealth of the entire city. The private property owners would choose the way that maximized their private interests, although it would intensify the decline of downtown Phoenix. For example, while many street people needed houses to live in, numerous landlords wanted to keep their lands vacant for a potentially more profitable use in the future. As Mayor Goddard summarized, “people would rather keep their land as parking lots and hope eventually to develop it for commercial. So many people are speculating, they don’t think what the immediate needs are” (Hall, 1988, p.C1). More directly, Dennis Burke, the then leader of the Arizona Contractors Association, criticized that the city should not rely too much on the construction of owner-occupied homes in

terms of downtown redevelopment, because “most people don’t want to risk the biggest investment of their lives on political promises. The rental market really is the way to blaze the trail for downtown” (Hall, 1988, p.C2).

Since downtown revitalization did not always represent the private interests of real estate investors, to guarantee the public interest in redevelopment projects, a city government should not only be a regulator, but should be deeply involved in the projects at the outset, when major development decisions are made. In this way, the city could be in a much better position to protect public interests, because it would have “a seat at the bargaining table.” This was exemplified when the city government heavily subsidized downtown redevelopment (Turco, 1984, p.D1).

Last but not the least, the real estate market in the downtown was still not competitive with suburban Phoenix, even after the city government demolished the skid rows. Or in Forsberg’s words, “it has nothing to do with intentions, only economic realities” (Shanahan, 1985a, p.B1). For example, Renaissance Square, the 26-story office tower in downtown Phoenix with its garage under Patriots Park, was opened in 1987. This office tower was the first and only high-rise building in downtown Phoenix built since 1976 (Thurber, 1986), that is, in over 10 years. Trammell Crow Co. of Dallas, the developer of Renaissance Square, provided reasons to invest in downtown Phoenix: blocks in downtown Phoenix were relatively cheap, mostly vacant, close to a giant convention center, and supported by city subsidies. In addition, financial infusion, a psychological boost to downtown Phoenix, the increasing downtown businesses and people who needed office spaces, and the 60% of the offices that were pre-leased before

the construction of the tower were also considered in the evaluation of the project proposal (Thurber, 1986). In this regard, it seems that the real estate market of downtown Phoenix could stand on its own feet.

However, when a journalist asked Trammell Crow whether the company would have built the \$180 million Renaissance Square without city subsidies, “Trammell Crow’s Barker answers with an emphatic ‘No’” (Hall, 1988, p.C3). Without millions in public subsidies cast into downtown Phoenix, the year 1986 would still be the same as any other year since 1976. All the economic potential of downtown Phoenix in the 1980s would be meaningless, because “you could get a cleaner, bigger, nicer parcel in the suburbs than you could downtown”. In addition, downtown Phoenix was not very accessible and as dense as other downtowns (Hall, 1988, p. C3).

#### **Activities-oriented planning and economic stimulation.**

Compared to the urban renewals from the 1950s to the 1970s, when downtown Phoenix redevelopment was rationalized by the skid row demolition, the planning theories in the 1980s constructed the planning rationales of redevelopment based on a different theory.

“And why should Phoenix officials focus on downtown after decades of neglect? Jane Jacobs, author of *The Death and Life of Great American Cities*, put it this way in her classic 1961 book on urban planning:

‘When a city heart stagnates or disintegrates, a city as a social neighborhood of the whole begins to suffer: People who ought to get together, by means of central



activities that are failing, fail to get together. Ideas and money that ought to meet, and do so often only by happenstance in a place of central vitality, fail to meet.

Without a strong and inclusive central heart, a city tends to become a collection of interests isolated from one another. It falters at producing something greater, socially, culturally and economically, than the sum of its separated parts” (Hall, 1988, p. C3).

If the reason for downtown revitalization was defined as constructing social integration and the city as a social neighborhood, a public space would play a role as a public gathering place and the anchor of social interaction, rather than an amenity as an associated premium for downtown real estate investors. In other words, activities in the space were more important than the park being viewed from the windows of the surrounding offices. Therefore, activities became the new center of the new Patriots Park redevelopment planning. This planning perspective had a hefty dose of Jacobs’ planning ideologies.

First, the design of a nighttime center;

Although in the 1970s Phoenix witnessed the great urban renewals, to most of the Phoenix residents, particularly women, downtown Phoenix was a place to avoid at night. As the 1982 *Patriots Park Redevelopment plan* presents, the previous downtown redevelopment attempts focused on expanding and strengthening Phoenix’s role as an office center. On the one hand, the newly built offices, with no doubt, brought white-collar workers to downtown Phoenix. The office crowd as well as civil officials and people who worked in or visited the nearby governmental buildings in the Governmental Mall district turned the original Patriots Park into a popular lunch-hour hangout. In this

regard, the original park design worked as the then City Manager John Wentz's plan in 1973: the park will be the "focal point" of downtown Phoenix as the "anchor" for the entire Governmental Mall district (Arizona Republic, 1973a, p.B1).

However, on the other hand, the original planning did not realize that such people left downtown at night. After all employees left, and Patriots Park became a magnet for homeless people and created a vicious cycle with the camping of transients and the departure of working people reinforcing each other. Using a downtown park as a shelter for homeless people was definitely not the planned purpose of the city planners and officials.

Therefore, the design of the redeveloped Patriots Park highly emphasized the role of the park as a "day-and-night activities center" (Broderick, 1987b, p. B1), in which more lights at night were the most important component. Downtown redevelopment was not understood as a skid row elimination. More importantly, reshaping Phoenix's downtown into a cultural and nightlife center was considered one of the ten key achievements in Mayor Goddard's record (Arizona Republic, 1988a, C2). As Jim Forsberg and other city officials and planners believed, more lights and activities at night would "brighten up not only downtown, but its image as well" (Luptak, 1983, p.G4). Patriots Park thus was decided as the place for the Fiesta of Lights, which was a downtown show organized and funded by the city, including entertainment, food, and of course a display of lights.

Within this perspective, it was hoped the redeveloped Patriots would become a bright, shining and attractive park. The design of the original Patriots Park, which was a

simple and traditional open space with trees, lawn, a few benches and a fountain at its center, was believed not appropriate for nighttime entertainment and activities. Planners and officials hoped the redeveloped Patriots could have multicolored lights, laser equipment, a concert amphitheater, or more to the point, a place appropriate for nighttime parties.

The activities-oriented planning ideology formed the new features of the park, as architect Ted Alexander designed it:

All of the trees in the park have Christmas lights strung up them and are covered with tiny white sparkling lights. Forty-foot light sculptures adorn each corner of the park, and the street lamps are lit with clusters of round bulbs. Thus, the scene of the park was supposed to be that the 800 seats amphitheater and six fountains would have “too many lights to count” (Jorden, 1987, p.B1).

In addition, columns, pedestals and pillars made of reflective glass blocks were designed to glow at night, like giant ice cubes (Patterson, 1989). In Alexander’s plan, the park should act as a sort of beacon in the center of the city, giving off light in glass-block pillars, in the fountains, on the brick planters and from the twisted glass light poles (James, 1988a).

More importantly than the decorative lights scattered everywhere in the park, the laser beam equipment was the centerpiece for the new nighttime activities center.

Specifically, the lasers were divided into two light sources:

The main laser equipment emitted a giant blue-green aerial laser beam up to 8 feet in diameter (Broderick, 1987b). According to Alexander’s design, this giant laser beam

was designed to shine into the night sky as far as the eye can see and be visible for six to ten miles (Patterson, 1989; Jorden, 1987)<sup>7</sup>. This equipment was set up in a 115-tall steel spire flanked by skewers of white light globes and woven fabric discs (Patterson, 1989). As a Phoenix resident recalled, this scene of the laser beam looked similar to the light beam at the Luxor in Las Vegas (Jonas, 2007). From the perspective of the park designer, this huge laser cylinder from the heart of downtown Phoenix would play the role as a beacon for downtown activity (Walker, 1989).

In addition, there were two other coin-operated multicolored laser kaleidoscope operators located on the north side of the park. Park visitors, particularly kids, were able to project images onto large translucent, salmon-colored fabric screens across the dome underneath the spire, creating their own light shows or switching on pre-programmed shows with a joystick<sup>8</sup> (Broderick, 1987a; Patterson, 1989; James, 1989). As Mike Whiting, an administrator with the Phoenix Parks, Recreation and Library Department who oversaw the project introduced, “on those screens you’ll see some abstract images and some realistic patterns that are programmed on a computer module on the ground. You’ll be able to manipulate the image in intensity, the complexity of the image or its rotation or its velocity, how it moves on the screen” (Walker, 1989, para.3). The price was merely one quarter for the 90-seconds laser control (Kwok, 1988).

Shaping Patriots Park as a new night-activity center is the main theme of all the aforementioned designs. As Jane Morris, park project manager for the Economic

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<sup>7</sup> Alexander convinced the Federal Aviation Administration that the light from the lasers would not be strong enough to interfere with traffic at Sky Harbor International Airport and agreed to obey the city’s dark-sky ordinance by turning off the lasers at 11 p.m (Jorden, 1987 June 14). See more security information of this laser equipment in the appendix.

<sup>8</sup> Finally, the operator was controlled by a touch screen.

Development Department, and Mike Whiting, administrator for the central-parks district noted, the park and the underground garage would be welllit and patrolled round-the-clock by security personnel and police. “Once people learn it is a safe place, Patriots will begin attracting entertainment, festivals or other activities” (Broderick, 1987b). In this way, the park could become a night-activity center even without the laser, and thus truly revitalize downtown Phoenix.

Second, futuristic theme as a self-identity;

In Kunstler’s (1994) famous book *Geography of Nowhere*, he criticizes that the “man-made” landscapes in the U.S have ignored and departed from the local tradition. Then, the cookie-cutter planning and one-size-fits-all architectural standards damaged the self-identity of the local culture, and finally created the geography of nowhere. In Phoenix’s planning history of the 1980s, the lack of theme was a large problem and raised great concern among urban planners.

An architectural theme is not only an aesthetic issue. More importantly, it is related to the basic planning ideology of a city, particularly in terms of the downtown redevelopment. From the perspective of Phoenix planners in the 1980s, the previous demolition-oriented planning and the ignorance of historical perseverance were at least partially derived from the lack of an architectural theme in downtown Phoenix.

As Boyle, the chairman of the planning department of Arizona State University, summarized in a 1983 interview,

“People tend to feel about their environment according to what it is like when they grow up in it. If you lived in New England, you wouldn’t dream of building a house

of adobe and covering it with stucco or painting it brown. You would build a house out of wood, or whatever fits in. Well, the trouble is, if you come out here to Phoenix, what do you do? If we don't have an indigenous tradition, then some people build houses out of stucco and some out of brick and some have flat roofs and some have pitched roofs. Some are even building what we call in New England, 'Garrisoned Colonials.' What you see in Phoenix is what Phoenix is. Phoenix is a city made up of immigrants, and the people who lived here originally did not set out to consciously establish a physical sense of community. So subsequent settlers trampled all over earlier history"(Rigberg, 1983, p.5).

Even worse, this problem was prominent in downtown Phoenix, even when merely comparing the city of Phoenix with other cities in the valley of the Phoenix metropolitan areas. For example, in 1988, the cities of Tempe and Scottsdale had previously required that downtown development conform to certain themes that reflected a Southwestern flavor. Other cities in the valley required developers to place retail shops on the first floor of all new downtown high-rise buildings to help brighten up the bland street fronts characteristic of downtowns (Hall, 1988).

However, as Mayor Goddard explained, because it was difficult for the city of Phoenix to lure developers to its downtown (consider Phoenix's 10 years with no new high-rise building in its downtown), it was also difficult to apply strict design standards in such a situation. If the standards of the theme would scare builders off, then the standards would be meaningless. Or in the mayor's words, "We frankly haven't felt like we've had the leverage to put too many restrictions on (developers)," even though he

directly described that some new privately constructed buildings were as ugly as “garbage.” (Hall, 1988)

At that time, the theme of public space became extremely important, because it was directly under the control of the Phoenix city government. However, Phoenix public space developments in the 1970s lacked a theme. As Boyle pointed out, “architecturally speaking, the buildings are just indifferent, not good or bad. Just enclosure is all they are. In terms of land use, they are woefully incompetent” (Rigberg, 1983, p.5).

From the perspective of the planner in the 1980s, the original Patriots Park also lacked a theme. The simple design of lawn, trees, benches, and a central fountain did not distinguish the uniqueness of Phoenix from other cities. The park was generic and could have been placed in any other city without confusion. However, that was no longer the architectural preference of planners in the 1980s.

Alexander, the designer of the redeveloped Patriots Park, emphasized that the design of the new park should be unique and different from traditional urban parks. However, he did not want to apply the Southwestern theme in Phoenix as the cities of Tempe and Scottsdale had done (Novotny, 1988).

From Alexander’s perspective, the unique theme of Phoenix could not be based on the tradition of the city, because Phoenix was a relatively new and growing city. As he said, “you go to many towns and you see town squares with statues of horses rearing up and bronze plaques, It wouldn’t have been appropriate for Phoenix. This isn’t a city that’s looking backward”(Novotny, 1988, p. MS22).

In contrast to the traditional statues and bronze plaques, Alexander identified the theme of the redeveloped Patriots Park as a futuristic town square, where “kid who comes down here to play with the laser will suddenly have the feeling that there’s something to do here, that we’re in a city that’s moving into the 21st century” (Novotny, 1988, MS22). Alexander believed that a high-technology, futuristic city should be the theme of downtown Phoenix. Consistent with the futuristic identity, the designer installed a futuristic-appearing steel spire, dome, red brick and laser system in the redeveloped park. These features were uncommon in previous Phoenix downtown buildings.

From Alexander’s perspective, this was an attempt to shape a new theme for a city, although it would take some time for Phoenix residents to become used to it. “We’re trying to create a symbol here that reflects Phoenix’s growth. And anytime you make a bold statement for a community, there’s no way to please everybody. They wanted to tear down the St. Louis arch for two years after it was built. The Eiffel Tower was the same way” (Broderick, 1987a, p.B4). Alexander believed Patriots would be Phoenix’s Eiffel Tower with a futuristic theme.

Alexander’s futuristic theme was generally controversial. His supporters believed that the avant-garde park design broke through the aesthetic conservatism of the nondescript skyscrapers of Phoenix’s downtown. Although architects and corporations were reluctant to offer an innovative design for fear of losing a commission, the design of Patriots Park was a positive attempt at change (Lessner, 1988, p.A10). However, other people felt differently about the futuristic park design. For example, Nilsson, the columnist writer of *Arizona Republic*, believed that although the original park was the



home of vagrants, it was nevertheless a park, whereas the futuristic space was not a park, but a new blight because it was ugly and should be destroyed by lasers (Nilsson, 1987, p.A8). Mayor Goddard chose a half-joking manner in which to refer to the new theme of a jumble of brick, wrought iron, concrete and glass blocks: “the Martians landed and left something at Patriots Square” (Arizona Republic, 1987, p.A2). In other words, the new theme of the park was in fact identifiable and definitely not undistinguished.

Third, attract people and encourage participation;

Homeless people camping in the park was the most prominent problem in the original Patriots Park; thus, how the new design of the redeveloped park could prevent the same result was a key concern in society. Alexander believed that transients would not be a big issue following the redevelopment (Patterson, 1989, p.S12). Phoenix architect Peter A. Len-drum also held a similar perspective: “everybody talks about the bums, but the bums don’t show up in crowds” (Patterson, 1984, p.S4). Then, the problem was how to draw crowds to Patriots Park by a systematic planning associated with physical design, regulation policy and the city’s management of activities.

In terms of the design, the basic idea of the design was creating a “non-rigid park on top of a very rigid parking structure” (Patterson, 1989, p.S12). As Alexander introduced,

“I spent six months researching what make public space work... I learned that what it takes is food, water, shade, lots of place to sit, entertainment, sun—depending on the time of day—and an element of discovery or surprise” (Patterson, 1989, p.S12).

Therefore, the redeveloped park replaced the few wooden benches with an 800-seat amphitheater. Moreover, every horizontal surface in the park from the planters to the fountains to the grass that surrounded the amphitheater was designed for walking or sitting, with no “keep off the grass” signs (James, 1988a, p.B2).

By contrast to the single fountain as a centerpiece, fountains were scattered throughout the redeveloped park. According to the designer, “Bubbling fountains will soothe the frayed nerves of office workers, and a waterfall will spill into a moat that lines the amphitheater’s semicircular stage” (Nolen, 1988b, p.B1). In this way, the sound of the water was supposed to draw people to this public space. The fountains and the waterfall thus created visual and audible sensation as soon as visitors entered the park (Nolen, 1988b, p.B1).

The numerous fountains, 144 trees and lawn were intended to cool the public space. The ultimate goal of the design was shaping the park into “the great outdoor café of Phoenix” (Broderick, 1987, p.B4).

Alexander believed that the free-to-walk-on lawn, sufficient seating, scenery, and the laser equipment operated by visitors would encourage people’s participation in this public space and encourage them to interact with one another. “Rather than a bronze statue of a horse with a man on its back, you’ll have something that’s interactive that involves the public,” he said (Michaelis, 1987, p. B1).

The city also contributed to the attempt to attract more people to this downtown park. Two copper-topped concession kiosks (one on Saturday) served foods in the park (James, 1988a, p.B2). The idea of serving food in Patriots Park had a long history. As

early as in 1976 the first year of the original Patriots Park, the city council considered allowing food vendors inside the park. Nearby restaurateurs, however, fought against this idea (Bommersbach, 1976, p.B1). In the 1980s, learning from the lesson of the original park, the city council insisted on allowing the food vendors in the park.

Further, the city funded musical performances at noon on weekdays. These free lunchtime concerts included multiple types of music, and focused on holiday music through December (James, 1988a, p.B2). The music was an important component of the plan to attract people to the park.

More important than the lunchtime performance, the evening musical concerts were used by the city government as a tool to help solve the city's problems. For example, in the 1980s, Phoenix was a traditional gathering place for the cruisers of the valley. Cruisers came from as far as Goodyear and Avondale, flocking to central Phoenix, after Metrocenter was closed to cruisers at the request of the mall's owner (Newberg, 1989, p.B2). However, the business owners and residents of downtown Phoenix complained that cruisers made excessive noise, snarled traffic and littered (Leonard, 1989, p.B4).

To address this situation, the city provided free night parties at Patriots Park on weekends. The parties featured bands, disc jockeys from local radio stations, food and beverage booths (no alcohol), and car contests in which trophies and gift certificates were awarded to the best-looking vehicles. The city paid \$3,500 to \$4,000 per weekend for the parties and established these alternative activities for the cruisers and others (Leonard, 1989, p.B4). In the city's plan, these activities would attract more people to Patriots Park,

revitalize the nighttime atmosphere of downtown Phoenix, and thus be good for everybody.

### **The Distortion in Spatial Practice**

Although Jacobs' theories are directly opposed to Le Corbusier's, whereas Jacobs' theories were practically applied in the plans of Patriots Park redevelopment, the redeveloped space experienced a similar distortion: the meaning of the space deviated from the expectations of the city officials and planners, and evolved in a real spatial context.

Generally, Jacobs (1961) indeed emphasized social interaction, public participation, and public space, particularly in terms of constructing a sense of community. Although the superficial outlook of a city's old town might not be as clean and ordered as a modern "radiant city" from urban planners' perspectives, the activities and people's connections within the public space increase the commonwealth of the city. Or in Zukin's (2010) terms, people's interaction and participation shape the authenticity of a public space. At least in the plans, the design of the redeveloped Patriots Park emphasized people's participation. The city planners and officials attempted to resolve the social tension among different groups, such as the homeless and working people, residents and cruisers, and so on, by inclusive public activities, rather than excluding the less desirable groups (e.g. the homeless and cruisers) by tough policing. In the 1980s, city officials and planners had great expectations for an inclusive Patriots Park at the heart of the city center. In this regard, Talton's (2015) comment that Mayor Goddard had "read and absorbed the lessons of Jacobs" (p.110) was consistent with the history of Phoenix downtown redevelopment in the 1980s.

However, the city of Phoenix included some features that were different from Jacobs' case. The economic reality as well as its underlying rationales and mechanism were important issues in the case of Phoenix's downtown redevelopment. To a large degree, Jacobs' theory did not focus on economic reality or economic stimulation. In her works, the vitality of the old town blocks was based on traditional social connections, the existing sense of community, and the specific identity of local culture. None of these features was associated with public funding. However, the situation of downtown Phoenix in the 1980s was different. Although the redevelopment project was mostly supported by governmental funding, legitimizing public spending on public space was necessary to persuade taxpayers to pay for the park. Constructing the rationale for economic stimulation became the necessary condition for the legitimacy of the Patriots Park redevelopment plan. The contradictions between Jacobs' theory and economic reality were gradually shaping the meaning and evolution of the public space. While the city government implemented the redevelopment plan of Patriots Park, the reality of park construction and management did not always work in the manner that Jacobs suggested.

#### **The disputes between the city and the builder.**

The plan of Patriots Park's redevelopment was largely rational, although the practice of the plan was not automatically smooth. In fact, the redevelopment of Patriots Park encountered great difficulty in its construction in terms of the cooperation between the city government and the developer. The disputes between the builder and the city government postponed the reopening of the park for two years, and required another \$3.1 million to solve the problems. In addition, the opportunity cost was high because all other

completed facilities to generate income, such as the underground garage, could not be used until the disputes were resolved.

As a component of the large redevelopment project, the redeveloped Patriots Park was atop the garages connecting Renaissance Square. Patriots Park and Renaissance Square were begun at approximately the same time in 1986. The redevelopment of the park was supposed to be completed on July 17th 1987 (Broderick, 1987a, p.B5).

However, whereas the privately owned office towers were finished as designated by the plan, the people of Phoenix witnessed the dispute between the government and developers for more than two years during the construction of Patriots Park.

According to the park design, trees should be planted in waterproof tree wells. Thus, large shade trees rather than decorative trees could be planted in the park. In addition, the water for the trees and fountains would not leak into the underground garage (Nolen, 1988b). However, the general contractor, Mardian Construction Co. encountered a number of problems during the construction. These problems created a dispute among the contractor, the consulting engineers, and the city.

Whereas the people of Phoenix waited during the two-year delay for the reopening of the park, they witnessed the contractor and the city continually blaming one another. Mardian Construction Co. alleged that the city of Phoenix and the engineering consultant were negligent and required Mardian to perform “unreasonable and hyper-technical tests and inspections of the work performed” (Nolen, 1988b, p.B3). From the perspective of Mardian President Dick Rizzo, waterproofing the fountains based on city specifications did not work, and the city opposed Mardian’s finishing the job with

different waterproofing materials (Nolen, 1988b, p.B1). Thus, according to Mardian, the city government should take responsibility for the delay.

Conversely, city officials, such as the then consulting engineer Ron Brenner, blamed the delay on Mardian's inappropriate construction and their cheating on the work. "After discovering cracks in several fountains, city engineers broke open and inspected, four of the nine in the park. In each, they discovered that structural steel was left out or inappropriately installed," as Brenner said (Nolen, 1988b, p.B3). A city report criticized the contractor's failure to accelerate the schedule by an extended work force, hours, and/or work days as the government had requested. Then, the faulty waterproofing of the park's concrete did result in leaks (Arizona Republic, 1988b, p.B3 ).

Thus, a \$ 3.1 million bond of city's direct investment was later paid to fix the failed waterproofing system in Patriots Park (Phoenix Business Journal, 2005), albeit the park had already cost \$ 15 million (\$ 12 million by the city, and \$ 3 million by the Trammell Crow Co.) (Arizona Republic, 1988c, pp.C4,C5). This steep financial overrun turned the dispute into a lawsuit (James, 1988b).

Mardian filed suit in May 1988 against Read Jones Christoffersen Inc., an engineering consulting company hired by the city; and the City of Phoenix Civic Improvement Corp., a non-profit organization responsible for building the project. The suit alleged a loss of time and materials because of the delay, whereas Mardian and Read Jones argued over the proper waterproofing material and how to apply them. Finally, both sides agreed to a sticky sheet product applied to the surface of the decking and used fiberglass to seal the leaking fountains (Patterson, 1989, p.S12).

The problem of leaks deeply influenced the history of Patriots Park. The poor performance and the prevarication during the project intensified people's doubt that the city government had the ability to efficiently and effectively redevelop downtown Phoenix, particularly if government redevelopment appeared always to require more public investment rather than less in its associated projects. Thus, the disputes over waterproofing generated a sense of distrust in the government. In addition, whether a park with trees and fountains should be placed atop an underground garage was seriously questioned. The bitter memory of the leaking fountains and tree wells of the redeveloped Patriots Park also influenced the associated planning of Patriots Park in the future. These details are analyzed in the following sections.

#### **The park management and the later *de facto* abandonment.**

If a visitor had visited the redeveloped Patriots Park during its first four years (1988-1991), he might have seen it as an example of Jacobs' public space. The free lunchtime musical performances every weekday, the free night parties with lights and auto shows on weekends, and the multiple festival events and activities in Patriots Park to a large extent fulfilled the expectations of the redevelopment plan: allow the inclusive activities within the space to resolve the tensions among different groups, and form an integrated atmosphere in a public space. The coin-operated laser kaleidoscope brought children (and thus their parents) to the amphitheater. As columnist writer Montini (1988, p.B1) described, finally, Patriots Park, the previous *de facto* shelter of homeless people, worked as a park, while children were playing and dancing on the stage and the waterfall, flower stands and red brick formed a scene in the park .



The problem of homeless people taking baths in the park's fountains appeared to be solved by the redesign of the park including more activities and police patrolling on bikes (Frauenheim, 1989, p.D8). A security service was hired specifically to patrol the park. This arrangement created a better feeling regarding safety within the park (Arizona Republic, 1989, p.B3). Ordinary people liked to come to the redeveloped park to experience a pleasant lunch hour listening to local musical bands (Secrest, 1989). An editorial in *Arizona Republic* appreciated the park "with its myriad activities" as the community's focal point (Editorial, 1989, p.A12).

However, the changes in the space were not the automatic results of the park design, but the result of continual funding by the city government. Of course, the city government received private donations from multiple sources. For example, \$ 186,000 in private donation was raised for the park redevelopment, including \$ 100,000 from Valley National Bank. Phoenix Newspapers Inc., donated the equipment for the three lasers, worth \$ 106,000. Although the private supporters invested a large amount of money in the park redevelopment, maintaining the laser scene nevertheless cost the city more than \$ 57,000 of the bond money (James, 1989).

As Bill Shover, Phoenix Newspapers public-affairs director, pointed out, although his company donated the necessary laser equipment, the city could no longer merely rely on private funding to support and maintain a public space with multiple activities: "It's just that the public sector has not been able to come through like it used to because the economy's down. It's for public use, just like you use public funds for slides and bleachers at parks" (James, 1989, p.D2). Another main donor, Valley National Bank, also

supported the idea that the city should use bond money to maintain the scenery of the park.

Public space studies sometimes imply that public space is a location, rather than a social space that is created by people. Discussions regarding the cost of public space maintenance generally focused on privately owned public space. In terms of the public space owned by the government, people generally assumed that public funding would be reliable and stable: taxes are more stable than business profit, and a government would maintain a public space based on social interests rather than an economic cost-benefit analysis. Thus, the discussions regarding government-owned public space focused more on the social contents and relations within the space than the existence of the space.

Within this perspective of government-owned public space, the abandonment of public space by a city government because of economic profitability is nearly irrational. Public space is a type of public goods that serves everyone and is funded by taxes regardless of individual citizen willingness. As long as a public space fulfills its planning purpose, the survival of a government-owned public space does not rely on its profitability.

However, although a public space is maintained by the government, that maintenance is not free. The budget for public spaces should not be taken for granted. A public space might be the most vulnerable to budget cutting: citizens would not immediately complain about cutting the budget for public space maintenance. They might nevertheless be able to come to the public space without appropriate maintenance, albeit the numbers of people who choose to visit the space might decrease. The decrease in

visitors, however, would be a lengthy and imperceptible process, as well as reinforcing the indifferent feeling toward the public space. Such a process is a type of the “tragedy of the commons”: no one assumes the maintenance of public space as their top priority although everyone can use the space. The history of Patriots Park is such a case.

In addition to the potential indifference to a public space, the economic rationales might be a significant motivation for taxpayers to promote the abandonment of government-owned public spaces and stop funding public space maintenance. Public space is free to the users, but not to the taxpayers. Regardless of the original Patriots Park in 1976 or the redeveloped park in 1988, sales taxes from the surrounding businesses, city bonds, and other governmental subsidies remained prominent during construction. Based on the fact that the city government paid \$ 12 million for Patriots Park redevelopment and \$ 3.1 million for the waterproofing, Patriots Park was definitely not cheap for taxpayers.

More importantly, the payers of the sales tax did not evaluate the public space as the urban planner did. The urban planners had great expectations that the redeveloped Patriots Park would resolve social tensions related to the homeless, downtown auto cruisers, and other undesirable groups of people by creating an activities-oriented and integrated public space. However, few payers of special sale taxes evaluate a public space according to the improvement in social well-being. Whether the increased turnover from the customers attracted to the park could pay back the special sales tax was the most important issue.

Although the government heavily promoted the redevelopment of Patriots Park, the city government did not persuade the downtown business owners to support the project by the social values of the redeveloped park, but by the profitability of a public space project. Or in Mayor Goddard's words, the city "must leverage limited city resources with private funds"(Thomason, 1985, p. B5):

"By concentrating our development efforts in areas of chronic underemployment and areas which have been slow to participate in the city's prosperity, we will add to the tax base and accomplish our employment and revitalization goals. In this way, we built and will maintain a homeless shelter. The same technique will build Square One (a downtown retail development), a downtown parking garage at Patriots and new housing downtown" (Thomason, 1985, p.B5).

In other words, a public space would be good, because it would not only revitalize the downtown landscape, but more importantly it would also improve the tax base. When more people came to downtown, the money they brought to downtown would cover the cost of public space maintenance. The millions the government invested was intended to start this virtuous cycle.

It would have been good, if the history of Patriots Park had worked as the planners and officials had expected it to. However, the reality did not follow this path. In 1990, city officials projected a \$ 13.7 million shortfall for the 1990-1991 fiscal year, because of a slowdown in the development industry and lower-than-anticipated sales tax collections (Baker, 1990). The direct result was that after the four percent budget reduction of the parks department, the Phoenix Parks, Recreation and Library Department

experienced another 2 percent cutback in their budget for the 1990-1991 fiscal year (Baker, 1990).

Although the sale tax collection could not demonstrate that a park was profitable by collecting sufficient sale taxes, the government-owned park and its public values were also abandoned by the economic logic of the market system. In 1990, Mayor Johnson and his city council guided the practice of park management in a new direction. The mayor and city council members declared that the redevelopment of downtown Phoenix was completed in 1990. As then Vice Mayor Linda Nadolski said, “it’s time to recognize our job in downtown is culminating. The majority of the council believes we’re almost finished now that the projects are in place” (Valdez, 1990, p.C1). The redevelopment of Patriots Park areas was no longer the key concern of the city council. The Parks and Recreation Board then increased the park rents in an attempt to maintain the park’s sustainability (Arizona Republic Northwest Community, 1990, p.8 ).

In general, the year 1991 was an important turning point in the history of Patriots Park. On the one hand, the redeveloped park experienced its final glory. The laser equipment was finally installed and able to create the futuristic scene in the park on December 8, 1990 (James, 1990, p.A1). Every Friday and Saturday night from 6-11 pm, Patriots Park had its laser show with free on-street parking after 5 pm and on weekends (Arizona Republic, 1992, p.E5). The weekday lunchtime live musical performances and the food vendors created a great atmosphere for people’s lunchtime relaxation. The visitors who came to the park as well as the police officers on bicycles outnumbered the

homeless people in the park (Heroux, 1991). Everything appeared to be working according to the planners' expectations.

The belief in the completion of downtown revitalization and the unprofitability of public spaces began to emerge in 1991. Although the laser equipment was approved by the city council, it was by a 5-3 vote. Three council members insisted that "the money could be spent on other endeavors during tough economic times" (James, 1990, p.A1); the funding for the free daily Patriots lunchtime entertainment program that had been proposed by James Colley, the director of the park department, was eliminated to reduce the budget (Baker, 1990, p.4). Only several months after the first laser show, city officials, including Mayor Johnson, began to consider shutting off the laser display in Patriots Park (Brings, 1991, p.A14; Unger, 1991, p.2). All of these plans and perspectives were indications of the future sharp changes, although the specific policies had not yet been implemented in 1991. As Penny Howe, the then chairwoman of the Phoenix Parks, Recreation and Library Board, commented on the budget plan of 1990-1991 fiscal year, "we were lucky this year... I don't think we'll be as lucky in the future" (Valdez, 1990, p.C3).

To a large degree, she was right. In early 1992, the city of Phoenix started to prepare a budget cut; "no one was exempt, and at the same time, the cuts seemed to be spread throughout all the departments," Mayor Johnson said (Saavedra, 1992, p.B3).

On June 19th 1992, the budget cuts were announced. The laser display in Patriots Park reached the end of its short life of nearly 18 months, and was finally turned off. The laser display generally attracted 1,000 to 1,200 people on Friday and Saturday nights. As

architect Ted Alexander said, “it (the laser display) does exactly what it’s supposed to do: bring younger people, families and kids downtown”(Cordova, 1992, p.B3); but eliminating the show saved \$10,000. Although a citizen raised the question that since the city and private supporters spent \$3 million to install the laser system, why abandon the system to save a mere \$10,000 repair fee (Bethel, 1995, p.3). However, the laser display and the entertainment program in public spaces were not pressing needs to most people. As Joe Niccoli, who owned food kiosks at Patriots park, said, “The sad part of it is, when it’s gone, nobody is going to complain. It’s not something they’ll call the City Council about, but they’ll miss it” (Cordova, 1992, p.B3). Therefore, the funding to maintain a government-owned public space was not necessarily more stable than a privately owned public space.

Moreover, the budget of the Phoenix Police Department was cut drastically. In other words, the strategies to maintain the space by activities and by policing were finally discarded, since late 1992 (Cordova, 1992, p.B3).

### **The evolution of Patriots Park after abandonment.**

The deterioration process of an abandoned public space is slow and gradual. However, although scarcely any Phoenix residents called the city council to complain about the abandonment of the park, the quality of the park was indeed being changing during this time.

Then, in 1996, the downtown merchants and city officials observed “beggars and street hawkers” occupying Patriots Park and the associated downtown areas again. Because of this situation, the downtown business owners “persuaded the city’s economic-

development staff that it's time to get tough". Policeman Lt. Terry McDonald, who then supervised this downtown area, said, "it's probably getting to a point where it's out of control" (Wagner, 1996, p.B1).

Ironically, after years of redevelopment in Patriots Park areas, park regulation and management appeared to have returned to the starting point. The city officials and merchants in 1996 thought they were pushing for new jobs; however, what they said, what they did, and what they thought mostly echoed their predecessors in the 1970s.

First, the downtown merchants complained that the policing and law enforcement were not sufficiently forceful to expel the beggars, who scared their customers.

Then, Margaret Mullin, then executive director of the downtown Phoenix Partnership, led a cleanup campaign to "crackdown" on the undesirable beggars in the area. Although the cleanup campaign in 1996 did not call itself "downtown is fighting back," it had the majority of the features of its predecessor: people were requested not to give money to vagrants; police handed out information on social services available in the city; and police began warning sidewalk solicitors that they were in violation of vagrancy laws: "A second offense would earn a misdemeanor citation, and a third would require a court appearance" (Wagner, 1996, p.B1).

More importantly, the not-tough-enough policing was again interpreted as the reason for the accumulation of homeless people in Patriots Park. For example, Mullin said "ordinances have been on the books for decades, but city officials failed to enforce them 'to the detriment of citizens'". Mullins also reeled off "horror stories" about beggars threatening downtown visitors and street vendors causing traffic hazards (Wagner, 1996,



p.B1). Then, her summary to the situation was that “the homeless problem is not just a threat to business, but to the security of average people” (Wagner, 1996, p.B1).

Michael Ratner, co-owner of Tom’s Tavern, recalled that his “patrons gawked while a homeless man stripped and bathed in the fountain at Patriots Square” (Wagner, 1996, p.B3).

Then, the various attitudes toward public nuisances and the real crimes that created so much tension between police and local merchants in the 1970s reoccurred in 1996. At that time, the city abandoned park maintenance and its designed plans for nighttime activities.

For example, Kathy Lubay, then bureau chief in the Phoenix Prosecutors Office, said “the misdemeanor laws are almost never enforced unless some more serious crime is also involved. Her office prosecuted just three panhandling cases last year (1995) in the downtown area” (Wagner, 1996, p.B3).

In addition, when the city severely cut the budget for public services and park maintenance, the paradox of the homeless problem of the 1970s reappeared in 1990s Phoenix: people required tough policing to expel homeless people from the park; however, there were no alternative places homeless people could move to, because the budget for public services had been cut. As Mary Orton, executive director of central Arizona Shelter Services, the then largest downtown homeless refuge, said, “If we’re going to get tough on enforcement, we better make sure there are other opportunities available. And right now, we’re full” (Wagner, 1996, p.B3).

Therefore, in a re-enactment of the deadlock in the original Patriots Park of the 1970s, the redeveloped Patriots Park that was designed by Jacobs' planning theories unfortunately ended up in the same place in 1996. On September 29th 1997, city spokeswoman Marie Chappie Ca-Macho noted that after seven years of non-maintenance, the abandoned \$355,000 lasers, which had once drawn hundreds of people downtown, had "fallen into such disrepair that it's not worth exploring the idea of restarting them" (Arizona Republic, 1997, p.B1). Regardless of the planning theories of Le Corbusier or Jacob that the planners applied, both the original and the redeveloped Patriots Park became an urban "lost space" or the "home of homeless people".

### **Social Perception: The Increase in Discontent toward Public Space**

As the methodology chapter of this dissertation reviews, contradictions are the primary force promoting the evolution of a space. Within the history of the redeveloped Patriots Park, the underlying contradiction between the revitalization and the profitability of Patriots Park deeply influenced the legitimacy of the space and people's perception. In essence, this contradiction was derived from the planning rationales for redeveloping the space: the city officials and planners, on the one hand, promoted the redevelopment of Patriots Park by an approach to building a more integrated and inviting public space based on Jacobs' theories; however, they advocated for and rationalized the millions spent on public investment and subsidies, using the economic logic that public investment would leverage private investment, then bring in more sales taxes to pay back the park.

Under such a plan, the legitimacy of the park had two contradictory evaluation standards from the inception of the redevelopment. This contradiction finally bred

discontent toward government-owned public space in the public perception and created the abandonment of the planning purposes of the redeveloped Patriots Park. This section reviews the process of how the discontented perception was increasing and its underlying logic.

### **The Worry over the Overproduction of the Downtown Revitalization Project.**

First, the most prominent representation of the contradiction was the absence of “equilibrated demand”: combining the legitimacy of spatial integration and profitability, blurred the equilibrium between production and demand. According to market system logic, the production of goods (say a public space, such as Patriots Park) should be controlled at the equilibrated level, which means that the economic benefit could repay the cost. Within the economic discourse, investment in a public space would have a clear appropriate point. If the government invested more funding than the sales tax could repay, this investment would be irrational and should be terminated. This is the discourse of profitability that the city officials implied to persuade the taxpayers and collect the special sales tax.

However, the city government did not consider the redevelopment of Patriots Park only as a business promotion strategy. More importantly, the city planners and officials used the park as a focal point to draw people downtown and released the intergroup tensions, such as among homeless people, cruisers, white collar workers, and surrounding residents, by integrated activities. However, the contradictory point was that although reinforcing social integration is an outstanding social benefit of public space that is intensively referenced by urban scholars, such as Harvey (2003) and Jacobs (1961), this

social benefit cannot be completely evaluated by tax income. Thus, an important problem for the people who advocated integrated public space was the extent to which the city government should continually invest in downtown redevelopment. Since the benefit of social integration cannot be appraised by the market index, how can they identify the “equilibrated demand” of public space and prevent overproduction paid for by governmental investment?

The perception related to the risk of overproduction had a long history in terms of Patriots Park redevelopment. Prominent perspectives and policies generally garnered the majority of the attention. However, to a great degree, although the perspectives that were opposite to the publicized policies were not as obvious in the early decades of Patriots Park’s history, these perspectives were growing and influencing policy. Punctuated policy changes generally do not arise out of the air or by accident. Rather, urban policy changes, particularly planning policies, are the result of a long-term competition among different planning perceptions. During the downtown redevelopment movement that reached its peak in the 1980s, the mass media intensively introduced the urban policies of Mayor Goddard’s administration. However, the worry about the abuse of governmental investment in downtown Phoenix had also been growing. The archives of the closed—door meetings of the city government indicated the existence of worry regarding overproduction.

For example, in the 1985 meeting discussing the downtown redevelopment plan that included Patriots Park redevelopment, Newton Rosenzweig, the then president of the

Phoenix Civic Plaza Building Corporation seriously challenged the redevelopment plan by asking “do we really need additional downtown attractions”:

“It is time that we end ‘alibing’ the disappointing percentage of Civic Plaza bookings with such excuses as (1) Insufficient nearby hotel rooms, (2) more convention space so that can have two major conventions at same time (we now have), (3) now need another downtown hotel (which city will subsidize), (4) saying now Civic Plaza needs museums, streetscapes, Mercado, to develop greater use of Plaza facilities—such as repeat conventions. Yet, other cities have far less to offer than Phx” (Rosenzweig, 1985, p.2).

The most important concern related to ending this unceasing redevelopment cycle was that the redevelopment projects would request additional governmental redevelopment in the future to help the existing redevelopment. Because the government subsidized these types of redevelopment, they were not restrained by market conditions and eventually would create overproduction of the redevelopment.

In addition, the overproduction of downtown redevelopment project would send the deficits out of control:

“Budget request for Herberger Theater now 30% higher than 1983—and who underwrites deficits? ... When the current bonds are paid off (1994), Phoenix taxpayers will have provided well over \$100 millions in sales tax revenues for the construction of the Civic Plaza, land acquisition, huge annual deficits, interest charges, etc., since this project got underway some 17-18 years ago” (Rosenzweig, 1985, para. 5).

More importantly, based on the idea of budget restraints and governmental overproduction, the subsidized cultural activities were assumed to be unnecessary if they could not repay the tax increase:

“And isn’t it odd that various public and private groups saying that Phoenix will not be great city unless it does more culturally—for in about past 40-45 years we have come from 99th city in the U.S. to the NINTH LARGEST city. Who can say we would have been even larger if we had more cultural and scientific activities?” (Rosenzweig, 1985, p.2).

Therefore, in responding to the governmental overproduction, the rational strategy should be that “Hold up additional C.P Bond until city agrees to keep ‘hands off’ C.P ‘earmarked’ sales tax fund—if ‘excess’ council will—1 pay off bonds ahead of schedule thereby saving heavy interest—or 2 reduce sales tax rates—or 3 eliminate home buyer sales tax” (Rosenzweig, 1985, para. 4).

Although the city council in 1985 did not accept Mr. Rosenzweig’s idea, he was not the only person with this perspective. For example, on behalf of the Home Builders Association, Bixler also recommended to “establish a target date for the removal of the sales tax that currently supports the Civic Plaza funds” and establish “a broad base tax supported by the general taxpayers of the City of Phoenix,” so that “this new tax would step in and take over the continuing obligations of the Civic Plaza fund” (Rosenzweig, 1985, p.4).

The abrupt cessation of all Patriots Park’s publicly subsidized activities in June 1992 when budget cuts eliminated funding for park maintenance was not, in fact, abrupt

at all. The perception that subsidized cultural activities were overproduced and wasting the precious public funding existed during the entire 1980s redevelopment although these discourses were covered by the advocacy of downtown redevelopment and were defeated by city council voting. Because the city government used economic rationales to legitimize the park redevelopment planning and the special sales tax at the inception of the park, the contradictions of the spatial legitimacy were introduced. Then, in 1991 when the sales tax increase did not reach the expected level, the contradiction of Patriots Park's legitimacy was "transcended" and caused the complete collapse of the legitimacy of the park activities based on Jacobs' planning theories.

### **The Unstable Political Promise.**

During the downtown redevelopment in the 1980s, it was common for citizens not to believe in the stability of the political promise. The unstable promises of the city government also intensified people's distrust of the governmental park redevelopment. That is why "most people don't want to risk the biggest investment of their lives on political promises" (Hall, 1988, p.C2).

This type of perception was common among Phoenix residents in the 1980s. The unstable political promise of urban planning was criticized as a common phenomenon in Phoenix redevelopment.

As downtown merchant R. Scott Smith, operations manager for Switzer's, summarized:

“It’s a typical approach: Kick the people out and clear the land with no commitment, and end up worse off than you were before. Look at the blocks all over downtown that are just leveled flat and clear”(Shanahan, 1984b, p.A2).

That was also the complaint of Carmen Rios, the owner of Seibert’s Catholic gift shop, who had to move because of the downtown redevelopment project; however, the building she vacated remained standing after seventeen years (Shanahan, 1984b, p.A2).

All these problems were finally attributed to the city government. As the owners of the downtown shop Switzer’s and Jutenhoops criticized, “downtown’s problems of deterioration have come partly at the hands of the city. The tearing down of flophouses in the name of redevelopment has resulted in streets filled with homeless people, and businesses have been reluctant to invest in improvements because of iffy plans and surrounding condemnations” (Shanahan, 1984b, p.A2).

More importantly, the distrust of political promises not only occurred in the process of implementing redevelopment but also in maintaining public space. The people who worked against the downtown redevelopment projects were not the only group who distrusted political promises. The groups of people who were excited about the redeveloped Patriots Park also felt sad about the unstable policies (Bethel, 1995, p.3).

The laser system of Patriots Park was a typical example.

While the city government advocated the lasers, Kaye Settle, who headed the fund-raising effort for the Phoenix Parks Foundation, said “This park is being built for the people, so we wanted to give the people an opportunity to support it” (Nolen, 1988a, p.B1). Moreover, because of the intensive controversy over the park redevelopment plan,



the final installment of the lasers was mostly paid for by public donations and private companies. However, after the private sector and ordinary citizens donated the \$ 350,000 to implement the park redevelopment plan, the city council abandoned the park and the lasers after only two years to save the \$10,000 repair fees. Thus, all previous private donations were wasted. The city government had ignored the needed repairs for the privately donated laser system for 5 years until the system was not repairable and had to be dismantled. Even for people who admired the idea of Patriots Park as a people's public space, the unstable political promises damaged the reputation of the city government's ability to manage a public space. In a letter to the editors of *Arizona Republic*, a Tempe resident wrote :

“I see the darkening of Patriots as another example of the shortsighted, hick-town mentality of Phoenix city government, and it further establishes a record of shortchanging the private sector that makes such public projects possible”(Brings, 1991, p.A14).

In addition, the lack of governmental maintenance made the park a campsite for homeless people again. Everything returned to point zero. Millions in city bonds and privately donated money had been spent for the park redevelopment; however, the homeless problem in the park did not change.

Thus, people who either liked or hated the redeveloped park believed governmental redevelopment and management of Patriots Park to be inefficient and ineffective.

People who hated the park believed that the public investment in Patriots Park wasted taxpayers' money and partially caused the deficit. The groups who appreciated the redevelopment plan believed that governmental ownership meant that the integration planning of the park would be considered with the risk of political considerations:

“The designers of the projects should be proud of their efforts, as the basic premise of creativity is to provide something that stimulates the senses. These designers have achieved that goal.

It is a shame that the value of their contributions is not recognized. The idea that future projects, once commissioned, be reviewed or censored by political elements is absurd” (Kovach, 1992, p.A8).

Although urban planning required stability and long-term vision, governmental promises might be even more risky and unstable than private strategy. As a Phoenix resident criticized in the newspaper:

“Must the roof cave in before the Phoenix City Council and city staff officials recognize the lurking dangers and wisely plan otherwise and reverse decisions made previously?...

The City Council, led by Mayor Paul Johnson, indicates that the plug on the once much-publicized Patriots Park with its laser setup, which by Terry Goddard's pronouncements was to receive worldwide fame, will be pulled to save money.

And there are other poorly conceived projects, now regretted, costing taxpayers a bundle” (Unger, 1991, p.2).

### **The Market Rationality.**

After the combined legitimacy of the integration and profitability of a space was dismantled, economic logic gradually dominated the legitimacy of planning policy. A space's legitimacy was evaluated by profitability, analyzing the correlation between the cost of public funding and the sales tax increase. The perspective that public space was irrational became a logical result of this evaluation. Specifically, there were three main threads of public perception that negated the meaning of public space during the evolution of the Patriots Park redevelopment.

First, developing a park is “a course of action that costs money instead of a course that would earn money” (Lindholtz, 1991, p.A14). Thus, the opportunity cost of the park would be very high. “If it is used for a park, the real cost of the decision would be the cost of development plus loss of the revenue” (Lindholtz, 1991, p.A14). Developing a public space is generally less profitable than selling the plot of land for development that could produce revenue from the sale and from taxes. Although a park is owned by the city government, if it is not financially self-sufficient, it is an irrational expenditure according to economic and market-centric legitimacy.

Second, because solving the problem of the homeless people in the park was a significant concern of the redevelopment plan, the long-existing perception that public funding should not be used to benefit homeless people also emerged and worked against the redevelopment of the public space. If the downtown redevelopment was interpreted merely as a commodity to exchange taxpayers' money, the redevelopment would be considered a manner in which to specifically serve “customers”. Otherwise, the public investment would be considered inefficient. As a Phoenix resident wrote in a letter to the

editor of Arizona Republic, “I, for one, find the teapot much more pleasing to the eye than the winos draped so tastefully around Patriots waiting for their free lunch” (Dearing, 1992, p.C4).

Finally, public space is not absolutely irreplaceable in terms of the majority of the Phoenix residents. For example, during the public hearing process, the cutbacks of Patriots Park had aroused much less backlash, compared to the proposal that suggested to close or reduce hours at some city-owned swimming pools (Baker, 1990, p.4; Cordova, 1992, p.B3; Valdez, 1990, p.C1). This feature not only rendered Phoenix public spaces vulnerable to the unstable political elements but also created the belief that public space is less important than other spending that could directly help. Even a person who truly cared about the homeless problem of Patriots Park may nevertheless consider the park to be an irrational public investment: “If Phoenix wants to be a beacon to other communities and visitors, why not use the \$309,000 to help the homeless? It is too bad that the generosity of so many has to be wasted on the ill-taste of so few” (Putt, 1987, p.C4). Indeed, when the Phoenix economy declined, the voices advocating abandoning Patriots Park grew.

None of these perspectives was independent of another. Rather, they interacted and intertwined during the entire history of the abandonment of the redeveloped Patriots Park. These perspectives are both the product and the cause of the city’s practice that *de facto* abandoned the park management and ceded the redeveloped Patriots Park to the homeless for a campground again. Jacobs’ planning theories that the park designers applied did not attain the outcomes the planners expected.

## CHAPTER 10

### THE LEGITIMIZATION OF PRIVATIZATION

After the *de facto* abandonment of Patriots Park, the loss of subsidized public nighttime activities and the lack of maintenance led to the continual decline of the park's quality. In 2003, the long-standing agreement between the city and a concession operator who ran a food, beer and wine business in Patriots Park ended. As park maintenance declined, the food kiosks also suffered from the declining business and revenue loss. Although the Parks and Recreation Board had agreed to close the concession stands in July and August to help mitigate the loss, the food kiosks could no longer maintain their business in Patriots Park in 2003 (Yvonne, 2003). By 2004, the management practices of Patriots Park had almost completely deviated from the designers' plans to attract people with activities, foods, scenery and entertainment.

More importantly, the city officials believed that without the careful maintenance and regulation of the space, public security within the park declined steeply. From 2004 to 2007, what police had encountered at Patriots Park were: "19 assaults; 85 calls to check on the welfare of someone in the park; 12 cases of domestic violence; 18 drunk and disorderlies; 56 fights; 11 cases of indecent exposure; 38 reports of a suspicious person; and 19 thefts"(Gordon, 2007, p.29). Mayor Gordon recalled the security situation of the park that "during a ceremony that I participated in, the Thai ambassador to the United States was attacked. He wasn't hurt, but a Phoenix police officer who came to his rescue was hospitalized" (Gordon, 2007, p.29).

In addition, the problem of mentally ill homeless in Patriots Park was even worse after budget cuts in maintenance. According to an *Arizona Republic* article in 2005, Patriots Park sheltered anywhere from 10 to 20 mentally ill homeless people on any given day. These people made the park unusable, because they “sleep on benches, wash in the bathrooms and frighten families with their unfortunate appearance and often bizarre behavior” (Hermann, 2005, p. A1).

Thus, few people, except the homeless ones, wanted to use the park. When the park had no maintenance, activities or security regulations, there were “far more pigeons than people” even during lunch hours (Gordon, 2007, p.29). On May 18th 2004, in Mayor Gordon’s “The Future of the City Address,” he suggested bulldozing Patriots Park.

After nearly 30 years, Patriots Park, which once was the reason for bulldozing downtown eyesores, became the eyesore itself. The urban problems that beset Block 77 in the 1970s, such as homeless people, badly maintained structures, lack of security and crime, emerged again in Block 77 within Patriots Park. Without appropriate maintenance, all of the park facilities suffered. For example, the underground garage, which, it was assumed, would bring business interests to the city, was in terrible condition because of the lack of maintenance: the leaks had reoccurred without being repaired. Homeless people used the underground garage as a toilet, leaving human excrement (Arizona Republic, 2004, p.6). The garage was thus called “a scary, concrete rainforest” (MacEachern, 2007, p.V1). If a garage, a profitable facility, was in a poorly maintained condition, consider other free facilities in the park. The deplorable condition of the park

eventually led to complete demolition in 2007. As Journalist Reaves summarizes the history of Patriots Park:

“For a third of a century, Gordon’s predecessors struggled with how best to make something special out of the heart of the city. Most agreed the best way was to build a great park. The problem is no one seems to agree on what that is. So they all seem to want to keep starting over” (Reaves, 2004b, p. B1).

The Phoenix city government in the 2000s had similar similar redevelopment plans in the 1970s: demolishing the existing structures before having a clear plan for what will replace them. However, in the 2000s Phoenix chose a different way: privatization, rather than publicization, became the solution for downtown revitalization.

First, the concept of privatization should be clarified. In the practices of the real estate market, the situation of property ownership might be more complex than pure private or public ownership, especially when the property owners of the land and structures are different. For example, if the city government owns the land but leases it to a specific business developer to build private structures with low rent price, this is a publicly owned land in name but not in fact. Such tactics are merely a strategy of governmental subsidies to waive business owners’ property taxes rather than change the spatial features (cf. Shanahan, 1985b, pp.B1,B6). Because the majority of the areas in Block 77 have thus far been commercial, this dissertation identifies the redevelopment as privatization although the exact property owner of the land is the city of Phoenix.

The organization of this chapter will be different from the previous chapters. As of the writing date of this dissertation, the second Patriots Park has been demolished for

10 years. However, redevelopment was not yet completed in 2017. Block 22, which is an important portion of the general Patriots Square/ CityScape redevelopment plan, remains vacant. There are 50,000 square feet of public space that have not yet been built on. More importantly, the city government and the private developer RED do not as yet have an exact schedule delineating when the entire redevelopment project will be completed. Therefore, it is impossible to analyze the contradictions among the spatial design, practices, and social perceptions in terms of the third redevelopment of Patriots Park. According to the Lefebvrian methodology, it is inappropriate to comment on the spatial design and its internal contradictions before the city finishes the project (the plan might also be changed in the future). Therefore, this chapter focuses on how the privatization was legitimized as the final result of the long abandoned second Patriots Park.

### **Privatization as Legitimacy**

At the original suggestion of Mayor Gordon, the only clear idea was bulldozing the second Patriots Park because it was an eyesore. However, he did not indicate what should replace the park:

“Let’s replace it with something that is worthy of the Patriots we wanted to honor in the first place. Its design didn’t capture either the future or the past. It was simply the architectural style of the day—which didn’t last. Let’s find our defining amenity. Let’s build something worthy of Phoenix, unique to Phoenix, that IS Phoenix” (Gordon, 2004, para.78).

Mayor Gordon’s words suggested, at least in the beginning, that the mayor and the city government shaped the legitimacy of bulldozing the second Patriots Park based



on its architectural design and amenities. Property ownership was not a redevelopment issue at that time. Therefore, regardless of the supporters and critics of the mayor's suggestion, the discussion about redeveloping the second Patriots Park focused on whether the second Patriots Park was an architectural masterpiece. The critics of the second Patriots Park and park designer Alexander's response also focused on the supposed architectural design of a public space (Carroll, 2004, p.2; Reaves, 2004a, p.1). In the ensuing news report, the replaced signature landmark was supposed to be similar to "Big Ben in London, the Eiffel Tower in Paris and the Space Needle in Seattle" (Mattern, 2004, p. D2). Thus, at that time, the redevelopment idea of the second Patriots Park did not include changing the property ownership, simply redeveloping a new public park. Typical evidence was the report of revisions to the downtown Phoenix master plan announced in 2004 November:

"Officials hope to develop an urban design plan that incorporates a new, grand civic space, as well as reinvent current civic spaces like Patriots Square. The areas could be used as gathering places for outdoor concerts or events, for example"(Richardson, 2004, p. B4).

At least in 2004, privatizing Patriots Park from a public to a commercial space was not the plan of the city government. The original plan of city officials was to reinvent the space and render it more appropriate for outdoor concerts or events rather than having it remain an urban lost space. If everything worked toward this goal, the third Patriots Park redevelopment would repeat the same redeveloping track as the first and second Patriots Park with a similar governmental discourse: the existing space is an eyesore;

therefore, let us bulldoze it and replace it with a beautiful landscape. The examples that Mayor Gordon used, such as Big Ben and the Eiffel Tower, were the identical examples used in the plan of the second Patriots Park.

However, the problem was that since Patriots Park was abandoned because of the shrinking of public budget, the policy of reinventing Patriots Park did not have sufficient legitimacy. The critics of public spending funds appeared almost immediately after the mayor's address. For example the following one:

“As usual, the ‘vision thing’ requires spending lots of other people’s money. Gordon wants to bulldoze Patriots and replace it with something that’s a signature symbol for Phoenix, like London’s Big Ben and Paris’ Eiffel Tower. And what might that be? Gordon didn’t say. Apparently not enough of us have the right ‘tude yet” (Robert, 2004, p. V5).

Compared with the 1970s and 1980s, the planning legitimacy has changed in the new century. Merely demolishing a downtown eyesore is no longer a sufficient planning legitimacy and removing an eyesore is no longer considered a taken-for-granted job of a city government. The redevelopment plan had to construct a different legitimacy for its planning. Thus, privatization, the new legitimacy to support redevelopment, gradually appeared in the planning discourses, particularly after the three-block CityScape project was proposed.

### **Privatization Legitimizes Governmental Interference**

On October 5th 2006, Councilwoman Peggy Bilsten talked about the redevelopment of Cityscape/Patriots Park project, “today is a really huge day for our

downtown's development, (This project) complements everything we've done so far"(Duckett, 2006, p. B1 ).The city council and city officials attempted to persuade the public that CityScape was "the last remaining piece in their ongoing effort to rebuild the city's core. It will bring more residents, housing and office space to the area, plus a much-anticipated AJ's Fine Foods, the first downtown grocery store in nearly 25 years"(Duckett, 2006, p. B1 ).

After the deficit and budget shrinkage in the early 1990s, downtown redevelopment was no longer taken for granted. The general political atmosphere in 2006 was different from the period of "we don't want to be another Los Angeles" movement after the war. In 1990, Vice-Mayor Linda Nadolski announced, "it's time to recognize our job in downtown is culminating," and the city government began budget cutting. After a mere 14 years, rationalizing redevelopment was again requiring a new spatial legitimacy (Valdez, 1990, p.C1). Otherwise, according to the groups of people who either loved or hated the second Patriots Park, there would be no reason to bulldoze or rebuild the park. For example, the second Patriots Park designer Alexander criticized that "I would hate to think that every time we have a new mayor, we have to rebuild the city center" (Reaves, 2004a, p.1). To the longtime opponents of the Patriots Park, decreasing the maintenance funding for the park was a reasonable solution to saving the precious public budget. The redevelopment of the park would repeat the previous mistake again: "If there truly is demand for this type of development in downtown Phoenix, developers will build it with their own funds. If it cannot be done without city subsidies, perhaps it should not be done" (Arizona Republic, 2006, p.2).

Thus, the political atmosphere from 2004 to 2006 did not allow city officials to begin a redevelopment project under the same planning ideology as what guided the previous officials in the 1970s and 1980s. In this situation, privatization became the new bolster of redevelopment legitimacy. Privatization rationalized governmental subsidies.

The combination of privatization and governmental interference is a result of interaction among multiple stakeholders.

First, regarding the developers, spatial privatization plus governmental subsidies were always the goal of the developers. For example, on the open park board meeting in 2006, the developers of the Patriots Park/ Cityscape project emphasized the incorporation of the commercial elements of the redevelopment plan “while still maintaining some of the public space that the park currently offers”; At the same time, the developers insisted that they “will need Phoenix’s assistance to make the deal financially feasible” (Alonzo-Dunsmoor, 2006, p. B4). From the perspective of the developers, this was a financially feasible manner in which to bulldoze the downtown “eyesore” under a specific economic reality. Changing public space into commercial space with governmental subsidies was an economic rationale for the private developers. Thus, they wanted to invest their own money in the redevelopment project (MacEachern, 2006, p. v1).

Second, for the city officials, privatization was a manner in which to persuade that the public the space would be financially self-sustainable. More importantly, this may have been the only possible approach to bulldozing the abandoned Patriots Park and promoting the progress of the redevelopment project. Mayor Gordon’s attitude change in terms of whether to include a hotel in Patriots Park redevelopment is an example. He was

“tepid in his support” at the beginning. However, after no one else submitted bids, Mayor Gordon changed to firmly support the CityScape plan. David Cavazos, the acting deputy city manager in charge of downtown development, discussed the subsidies with the developers, “the role of the city is to only do what is necessary if the benefits are there. At this point, our goal is not to estimate what their request is for assistance” (Harris, 2006, p. D1)<sup>9</sup>.

To the residents of Phoenix, privatization was at least a possible approach to changing the *de facto* abandonment of Patriots Park. As a resident of downtown Phoenix pointed out directly, “the city has abandoned the property and there are no public funds to ‘Save Patriots Park.’ The CityScape proposal is a win/win. The developers will pay for the park, pay to program the park and pay to maintain it” (Greenberg, 2007, p.2).

The lesson of the budget cutting in 1992 had revealed the paradox of the park. Although people indeed admired public space, government-owned public space is the most vulnerable to the budget cutting because no one is directly and instantly affected by the lack of maintenance. Particularly in terms of the downtown economic reality, this problem was prominent at Patriots Park. As the editorials of Arizona Republic directly noted,

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<sup>9</sup> Phoenix’s financial contribution to CityScape would take several forms:

“First, a property-tax abatement. Phoenix, which owns the titles to the land, would sign a long-term lease with the developer. Then, using a state law called the Government Property Lease Excise Tax, it would take the development off the tax rolls for eight years. After that, the project would be taxed but at a lower rate. The tax relief would be worth about \$26 million. The project is expected to generate more than \$200 million in tax revenue over 20 years, developers said.

Next, Phoenix would buy the project’s new underground parking garage and pay for repairs to the existing garage under Patriots Square Park. This will cost \$96.5 million. The city would not turn over the money until 2009 when the development’s first phase opens.

The money would come from a variety of sources, including the planned sale of a city-owned parking garage and revenue from construction and sales taxes generated by the project. No General Fund revenues would be used.

Finally, Phoenix plans to use 2006 bond funds to make improvements to the streets surrounding the development.” (Richardson, 2006b, p. A1)

“In a sense, the decision has already been made—by two decades of disrepair. Patriots is not the town center. The parks department has no money to preserve or upgrade that land, or even repair the parking garage underneath. If CityScape is scrapped, or fails, there is no Plan B for preserving Patriots Square” (Editorials, 2007a, p. B4).

Therefore, although the public ownership of a public space is generally considered the basis of spatial democracy, the public ownership of Patriots Park reached the dark side of democracy: the people used their voice to keep the park. However, their voices were not sufficiently loud to force taxpayers to pay for the park rather than for other perhaps more necessary public services. The *de facto* meaning of spatial ownership was distorted: public ownership means no maintenance as a democratic result whereas private ownership means private maintenance because of the private interest. Or in Talton’s (2006) words, “this is a bizarre situation”: No privatization of the public space (e.g. changing a park into a shopping mall) in downtown Phoenix was “not a triumph of preservation. It’s a vote of no confidence by private capital. Great preservation comes to center cities that are magnets for investment” (p. V5). This special situation rendered the case of downtown Phoenix different from other cities with economically competitive downtowns, such as Denver, San Diego, Seattle, Charlotte and so on.

In addition, because many vacant lands held by private owners in downtown Phoenix were priced too high for development, privatizing public space appeared to be a feasible manner in which to remove the roadblocks of downtown revitalization. As Talton (2006, p.V5) said, “If the city throws in Patriots Square, CityScape could work”.

Privatization became the new basis of legitimacy for the downtown redevelopment project. In contrast with the common stereotype that privatization always works against government or public subsidies, in the case of the third redevelopment of Patriots Park, privatization even legitimized the public subsidies and the associated downtown revitalization project. Privatization became an ideological binder of developers' business interests, city officials' eagerness to bulldoze the downtown eyesore, and people's desire for financially and politically feasible maintenance of the space.

### **The Construction of the Legitimacy of Commercial Spaces**

The spatial legitimacy of commercial space competing with public space was a new thread in the planning ideology during the 2006 planning processes. In the thirty years since former Mayor Driggs proposed changing the entire block of old town commercial facilities into a park, the belief that a public space at the heart of the city's downtown could attract people and revitalize the downtown area was an undoubted belief to the majority of the city planners, officials, and ordinary residents. Therefore, although Patriots Park was designed twice during this period, the legitimacy of public space had not faced any significant challenges. The disputes and debates were generally associated with architectural style and aesthetic issues rather than the rationales for having a public space.

After the long period of poor maintenance, during the planning from 2004 to 2006, significant doubt arose regarding whether a public space, particularly a traditional public open space without commercial elements, could be an inviting space.

Some criticism was based purely on architectural reasons and the specific geography of Phoenix. For example, the editorials of Arizona Republic openly noted that “We should take a critical look at proposals for grand public places,” because “large open spaces here tend to turn into griddles in the summer” (Editorials, 2004, p.B8).

Unfortunately, Patriots Park was a typical case in which the heat became a prominent barrier to the effective use of public space. In addition, the memory of the leaking fountains and the three wells reinforced this perspective. Because Patriots Park was atop an underground garage, many people worried that planting large trees or constructing large fountains would cause the garage to leak again. Even the later design of water landscape atop the garage was adopted carefully with controlled size (Anonymous interviewee # 1, 2016 April 17). The developers’ planning proposal to divide a large open space into scattered publicly accessible spaces including retail and other commercial facilities obtained some support based on the considerations of heat and possible leakage problems.

More importantly, the significance of the commercial space was emphasized more in the 2006 plan than in the plans from the 1970s or 1980s. Commercial spaces were considered a more important component than public spaces to attract people to live, relax, and entertain in downtown areas: “Americans value their leisure time, and a big part of it is played out in shopping” (Editorials, 2007b, p. B4). If the image of commercial facilities at Block 77 was the habitat of a bad atmosphere in the eyes of planners from the 1950s to the 1970s, in 2006, shopping areas were appreciated as “modern town centers, as central to the community, its economy, its life, as a



neighborhood park, a theater, a senior center, even a library” (Editorials, 2007b, p. B4). In other words, commercial space was considered more important than public space as a focal point to attract people to downtown. In Mayor Gordon’s terms, beyond Patriots Park, the city of Phoenix had always lacked the “defining amenity” that all great cities have (Gordon & Richards, 2007, p. 26). Developing commercial space, particularly a potential grocery store, was always emphasized as a significant rationale to redevelop Patriots Park. For example, John Bacon, a RED (the developer of CityScape/Patriots Park project) spokesman said, “everyone has said that there needs to be a grocery store downtown. And we agree with that. It’s going to be the key” (Richardson, 2006a, p. B1).

Of course, as in other periods, the ideologies related to the spatial planning were very diverse. Many people, opposed to the legitimacy of privatization, attempted to protect the park although the status quo of the park was not satisfactory. The most important criticism was that the scattered publicly accessible space would no longer be a public space, but a retail courtyard. The opponents considered that changing a public park into a greenbelt for retail was corporate theft and would damage the democracy (Richardson, 2007, p. B1).

However, although privatization was not the sole legitimacy, it promoted the redevelopment plan of CityScape/Patriots Park. Block 77, which was once the location of Patriots Park, was changed into a mixed-use center: specialty stores, boutiques, restaurants and entertainment venues surrounded a small open space with a cooling splash pad and chairs. As a response to the ten-year abandonment of Patriots Park, privatization practically shaped the new legitimacy in the planning ideology of the

redevelopment in 2006 although the actual plan has not yet been completely implemented after 10 years.

## CHAPTER 11

### CONCLUSION

In essence, urban planning is a normative activity of city government. Compared with other governmental services, planning is not directly serving citizens' instant needs or demands, but rather constructing spatial norms by identifying a bright future. Because planning focuses on a future that has not yet occurred, the design and discussion of planning is *de facto* based on imagination and current public normative beliefs, that is, ideology. It is impossible to define or evaluate the influence of property ownership on public space by a value-free functional analysis. All planning activities are automatically associated with normative values. Thus, the analysis of the meaning of property transfer should always be based on the comprehensive and contradicted spatial norms.

By a comprehensive review of the history of Patriots Park, this dissertation challenges the current study of public space privatization by breaking through the prevalent stereotype of property ownership. This stereotype assumes that public ownership means inclusiveness, social integration, and democracy, whereas private ownership means exclusiveness, financial self-sufficiency, and "revanchist city." By and large, Patriots Park's thirty-year history illustrates the complexity beyond these stereotypes.

Public ownership could be used to exclude poor people, and condemning existing buildings to create the park demolished all affordable housing in an entire block. Public ownership may also intensify the tension among multiple groups of people, such as when the homeless people transformed the park into a shelter and law enforcement became an

expensive cycle between jails and parks. The democracy associated with governmental ownership may also make a park vulnerable because a public park may be weak in the political competition for public funding. Simultaneously, privatization may be used to support the legitimacy of governmental intervention and attract and invite more people to the space.

The meaning of property ownership is embedded in society. No meaning can be separated from social contents or abstracted as an absolute and independent feature. In terms of a public space, no supposed characteristic can fix the meaning of property ownership, whether the supposition is derived from laws, plans, or economic theories. Regardless of the theories from left or right-wing politics, the attempts that mechanically and functionally summarize all general features of privately or publicly owned space are trapped in endless inconsistency because the social contents, planning ideology and purposes are not identical in different cases.

This dissertation reached the following conclusions regarding the interpretation of the meaning of property ownership:

First, the meaning of property ownership encompasses diverse but understandable values;

In urban studies, there are generally two opposite implications: on one hand, scholars usually imply that the urban planning of a city government is derived from economic rationality. The motivation to maximize economic interest determines the track of urban landscape and development. For example, public space redevelopment is interpreted as a “revanchist” activity, because the current economic income of a public

space is lower than the business value of the potential commercial redevelopment (Smith, 1996). On the other hand, if scholars are not convinced by the model based on economic rationality, they usually imply that the evolution of urban landscape is a random result, such as the postmodern urbanism assumption that the locations of different urban spaces are similar to the results of a KENO gambling game (Dear & Flusty, 1998). According to this assumption, whether a place becomes a public space or a commercial space is a random result. There is no logical approach to understanding or estimating the changes in landscape. These two intellectual threads are directly opposed to one another. However, this dissertation challenged both threads using the case of Patriots Park.

The development/redevelopment of Patriots Park cannot be sufficiently interpreted merely by economic rationality, which renders it impossible to understand why the city planners and officials would prefer vacant land to the existing pawnshops, SRO hotels, low-class bars, and other old downtown structures in the old town block. Although these structures may have been out of date, all of these commercial facilities generate sales and property taxes. Why did a capitalist city government demolish all of these private commercial buildings and change them into government-owned vacant land with no tax income at all? Because planning is a normative activity, diverging from social norms in understanding urban plans runs the risk of distorting the real rationales of urban plans. Planners did have their reasons and normative beliefs when they attempted to “get rid of the pawnshop atmosphere for a whole city block of blight” by publicizing the center of downtown Phoenix (VanderMeer, 2010, p.273). However, normative judgement is not entirely related to economics, but derived from Le Corbusier’s planning theory and

the identification of city government's role during periods of urban renewal. Although capitalism has great influence on the urban landscape, city planners, officials, and police officers are not completely passive gears in the big capitalist machine. Overestimating economic influence or attributing all planning decisions to economic interests is not correct.

Conversely, although urban planning is continuously changing, it remains logical, not arbitrary. The span of history is extremely important in understanding urban planning, because the process of planning generally covers fifteen to twenty years or even longer. If we use a snapshot view to concentrate on the functionalist analysis at a specific time point, many planning decisions superficially look as arbitrary as a KENO gambling game. For example, because Mayor Driggs proposed a town square park, the previous plan for a golf course was changed into the later Patriots Park. Although Democratic Mayor Goddard won the election after Republican Mayor Hance, the Democratic mayor stopped the campaign of "downtown is fighting back" and advocated to revitalizing the park with nighttime activities. Then, after Mayor Goddard resigned to run for governor in 1990, the proposal to reduce Patriots Park's budget was submitted almost instantly in the next year. Then, in 2004, Mayor Gordon took "let's bulldoze Patriots Park" as one of the most significant components of his first address to the city of Phoenix.

Because urban planning is a type of public administration, it is indeed influenced by city officials and political leaders. Because no one can anticipate the result of a mayoral election or what a mayor will propose, all of these dramatic changes in Patriots Park's fate could be misunderstood as random results from a snapshot view.

However, if we analyze a history span that is long enough to cover the full evolution of an urban space, we observe the rationales behind the superficial “randomness.” Without a review of the previous Phoenix downtown square in the 1880s, we cannot understand the longtime collective memory and the public anxiety connected to rebuilding the town square and revitalizing downtown Phoenix in the 1950s and 1960s. Looking back to the downtown geographical history of Phoenix during World War II demonstrates that the war and the military bases in Arizona intensified prostitution in downtown Phoenix and greatly increased the density of downtown hotels, which later degenerated into SRO hotels for poor people when police cracked down on prostitution. Downtown Phoenix then became a traditional gathering place for homeless and poor people because people who camped in Patriots Park believed their lives in the park were cooler and safer. It was easier to find a job than in uptown SRO hotels. Even the stringent law enforcement could not immediately eliminate the influence of the history. Superficially, the budget cutting of Patriots Park occurred suddenly after Mayor Goddard’s resignation. However, if we examine the historical archives carefully, we observe that the abandonment of Patriots Park was the result of the longtime efforts of surrounding merchants who paid for the park with their special sales tax. The origin of the abandonment is derived from the fact that city government constructed the legitimacy of the park on its tax profitability at the very inception of the park.

After extending the history span, the historical contents in the analysis present a more comprehensive view than a snapshot functionalist analysis. Although mayoral election results are to some extent uncertain, the logic of the planning and landscaping of

a city is rooted in its history. Before any dramatic events in planning, there are always numerous tiny changes behind the superficial “always-similar” routines. Urban planning has no punctuated equilibrium, but will always be a continuous evolving process. For example, the policy of completely demolishing Block 77 was implemented during Mayor Hance’s administration. The policy thus had a hefty dose of her planning ideology, particularly in terms of the underestimation of the preservation of historical buildings. However, the demolition-oriented planning was by no means Mayor Hance’s personal idea. The archives and historical documents have demonstrated that as early as 1957, approximately 19 years before Mayor Hance’s term, the plan to demolish Block 77 was made public before any specific reconstruction plan had been developed. Over 19 years, the plan was gradually adjusted and legitimized during multiple terms of numerous mayors and city officials, including adjusting the plan from building a golf course to a public park or from applying Federal Urban Renewal Fund to a special sales tax. In this process of legitimatization, all steps are logical, not random. The 19 years of planning shaped the meaning of public ownership into a manner to exclude poor people and demolish lower-class facilities. This was definitely not an arbitrary decision of any individual mayor.

Therefore, if an analysis covers a sufficient span of the planning process and carefully organizes the “indistinguishable” changes, the majority of the results of urban planning are logical, albeit not always in the logic of economics.

Second, the meaning of public space ownership depends on the planning ideology;



Because urban planning is normative, continuously changing, logical, and beyond economic rationality, it is impossible to abstract an absolute meaning of property ownership of a public space. Current public space studies generally assume the existence of the universal norms of all public space. For example, a public park should be good for gathering and entertainment, accessible, inviting, democratic, etc. In addition, the influence of property ownership is assumed to be an issue of law that applies to all public spaces. These assumptions intellectually separate the significance of specific contents from the functionalist analysis of property ownership. However, real urban planning is not implemented in this manner. The planning ideology, the defined purposes, and the spatial norms of the same public space, such as Patriots Park, are different during different periods:

At the inception of Patriots Park's history, publicization was for condemnation and demolition rather than developing the supposed universal features. The planning purpose of demolishing the old town block was clear as early as 1957. The city planners and officials at that time believed that demolition could revitalize downtown Phoenix regardless of what would be built after the demolition. A golf course, a town square, or even a vacant lot used as a parking lot would all be acceptable as long as the blighted block could be torn down. During this process, the public ownership of the park was used to legitimize the condemnation of private real estate.

Then, during Mayor Hance's administration, public ownership of the park was no longer related to condemnation, but to a governmental real estate investment. Patriots Park was planned as an amenity and landscape to stimulate the surrounding real estate

market. In 1982, the Patriots Park Redevelopment Plan (Resolution No. 15815), not any planning objective of the park development, was related to shaping Patriots Park as an authentic and inviting public space, although it was called the Patriots Park Redevelopment Plan. If a public space can stimulate the downtown real estate market as an office center, it was a good public space in the eyes of city planners at that time. Public ownership was not related to considerations of democracy or integration, but to public investment.

In the redesigned plan of Patriots Park in 1988, the meaning of public ownership was changed again to constructing social integration by publicly sponsored activities. However, in 1992, public ownership caused the park to become the victim of the first wave of budget cutting because of its vulnerability in the political competition of public funding.

Finally, after a long abandonment, privatization became the legitimacy for governmental intervention although the city planners and officials believed that the commercial facilities could attract more private investment and entertainment and thus more people to downtown areas. More importantly, privatization could save the space from political competition for the public budget because the economic reality was that the city government had no financial plan to save the park. Assisting private developers and their commercial development was better than abandoning Patriots Park as a lost urban space.

In the history of Patriots Park, there is no universal meaning of property ownership. All meanings are associated with specific planning ideologies and purposes.

Without these contents, no one would know what public or private ownership means to Block 77. Reviewing the related planning documents and planners' speeches indicates that public ownership may be exclusive whereas private ownership may legitimize governmental subsidies in the specific social contexts.

Assuming that all public parks have identical functions under similar evaluation standards oversimplifies planning practices. Different urban plans may identify a public space and its property ownership with different purposes and meanings. The most typical case is the plan of "Hobo Park" in 1982. A public park would have been intentionally designed to be an urban lost space without maintenance, regulation, or policing. In this manner, the Park Board of Phoenix assumed that homeless people would like to move to the "Hobo Park" from the expensive Patriots Park. The plan for "Hobo Park" was never implemented. However, what if such a "Hobo Park" were built? How would a functionalist analysis evaluate it? Can we identify such a park as a blighted space and criticize it as a bad park? Being bad, however, was its official planning purpose in the proposal by the Phoenix Parks and Recreation Board. In terms of a "Hobo Park," being bad was good, whereas being good meant wasting public funds and failing to save Patriots Park, although theoretically, a "Hobo Park" is nevertheless a public park.

Clarifying the planning ideology and purpose of a public space is extremely important to understand the meaning of its property ownership. The planning purpose of a public park should not be taken for granted. What urban planners define as the spatial norm of a public space is extremely diverse in real planning practices. Ignoring planning purposes and ideology in public space planning practices or foisting scholars' beliefs

regarding spatial norms on a specific public space distorts the interpretation, a primary reason for the current theoretical inconsistency of public space studies.

Hence, what is the meaning of property ownership of a public space? It depends on two important factors:

The most significant factor is the real planning purpose of the public space; the reason why the city wants to build a public park is fundamental to the analysis. A city may have diverse purposes for building a park, such as a good reason for condemnation, creating a blighted area to channel street peoples or of course constructing an inviting and integrative space for entertainment. Without understanding the real and specific planning purpose, it is impossible to evaluate a public space.

Another necessary factor is the legitimacy of the space; planning is essentially normative. Because a planning process generally covers a long period of time, it is nearly impossible for any individual, including mayors or council members, to suddenly have an idea and build a public space. The legitimacy of the space always relies on careful construction. The interpretation of why this proposed public space is necessary is always required.

More importantly, the spatial legitimacy in urban planning is not always associated with the observable practice within the space. The design of the second Patriots Park as a center for nighttime activities is a typical case. The park's legitimacy, based on profitability in terms of sales tax stimulation contradicted the park's design according to Jacobs' theory. The contradiction eventually led to the abandonment of the park. A good public space is never free and should not be taken for granted. Who pays

for and maintains the space, why they would like to pay for the space, and how the city planners and officials persuade the payers to pay and maintain the space are always crucial questions in understanding spatial legitimacy. The empirical observation of the space cannot take the place of legitimacy construction in planning discourse. A park with a professional design and entertainment activities did not guarantee that it would be free from the legitimacy crisis.

Of course, not all public spaces have the contradiction between spatial legitimacy and the park design. In some cases, the high quality and good use of a public space is a sufficient legitimacy for the public to pay for and maintain the space. However, why a public space is necessary and should be paid for remain the sensitive and significant issue in the spatial legitimacy construction. Without a careful review of how the planners and officials persuade the public to support a park, we do not have an accurate understanding of spatial legitimacy.

Thus, by the discourse of city planners and officials, the official purposes and the constructed legitimacy of the park formed the basis of planning ideology, which directly shaped the original meaning of property ownership.

Third, practices and perceptions created the dynamic of spatial meaning by spatial evolution;

Although the meaning of property ownership was originally designed by planning ideologies, the existing spatial meaning in practice depends on regulation practices and people's (stakeholders') perceptions of a space. In everyday language, the term "theory" generally assumes a causal relation and an expected outcome of supposed input. However,

in terms of spatial evolution, the space users and stakeholders are not passive. They have their specific angles of understanding and personal interests related to the space. A rational plan in the eyes of city officials may be completely irrational based on a specific stakeholder's personal interests. The multiple contradictions thus promote the evolution of the space. In the case of Patriots Park, the real evolution of a space always diverged from the supposed track of the official plans regardless of the planning theories that the plans applied.

Similar to many other downtown redevelopment plans in urban renewal periods, city officials and planners hoped to remove poor people by demolishing affordable housing and pawnshops. However, rather than being removed, homeless people occupied the park because there were no other options for them.

The city then planned to solve the homeless problem by tough policing, creating complex influences on spatial contradictions: 1) to the homeless people, the tough policing meant a cycle between jails and parks; the policy did not change their lives in the park or provide other options; 2) as for the police, since their profession required them to pay more attention to real crime than public nuisances such as a mentally ill person dancing in the street, they could not satisfy the surrounding merchants or treat all homeless people as dangerous criminals; 3) in terms of the local merchants, because the mentally ill and homeless people threatened local merchants' business interests more seriously than crime, merchants hoped that the police would protect their business interests. However, because the police focused on real crime rather than public nuisances, the merchants felt discontent and distrusted the police, complaining that the police were

not tough enough and did not help. Both the “toughlove” theory (Hille, 1983, p.A14), which assumed that tough police could forcibly adjust homeless people’s behaviors just as parents controlled their “intolerable” children and the “eyes on the street” theory (Jacobs, 1961), which advocated that the local merchants would form an intricate network of voluntary surveillance for public security, failed in downtown Phoenix. The primary reason for this failure was in fact based on the various perceptions of the police’s job. As long as the police focused on real crime rather than nuisance crime, neither “tough love” nor “eyes on the street” would work because the understanding of public security was different in different groups. Under tough policing, the park remained a campground for homeless people.

Finally, whereas the city planned to solve the homeless people problem by nighttime activities and the sales tax, the long-standing discontent of the surrounding merchants, the deficit of public finance, and the vulnerable status of public space in political competition directly killed the park. Although millions in donations and public funds were spent on the park redevelopment and the laser equipment, after only two years, the lasers were abandoned, because the profitability of this public park could not cover its cost. Although the public perception evaluated a public space by its profitability, the design of the government-sponsored nighttime activity center lost its legitimacy.

Because the city government had no other practical plans to save the park from abandonment, privatization became a critical support for government-sponsored redevelopment. The public perception was that the commercial facilities would be better for attracting people, efficiently maintaining the space, and creating economic interest.

Although the redevelopment was sponsored by the city government, the supposed profitability of commercial facilities reconstructed the legitimacy of the space.

In the history of Patriots Park, the city government's particular plans had never exclusively determined the track of the spatial evolution. In the contradictions among the multiple uses and perceptions of the space, the original planning perspectives were consistently distorted and transcended. Thus, no planning theory can fix the result of a public space development.

After the planning ideology constructed the original meaning of the property ownership of a space, the practice and the perception were comprehensively reshaping the meaning: although the planner used public ownership as an approach to demolition and removal, the practices of homeless people changed the public space into a shelter. The plan for a nighttime activities center created integration; however, the sales tax payers maintained the perception of evaluating spatial norms by profitability and promoted the abandonment of the park by political competition. In contrast to the stereotypes, even privatization could form the legitimacy of government-sponsored redevelopment in a particular political and social atmosphere.

Public perception and practice should not be understood metaphorically. The mechanical assumption that the local merchants would cooperate with the police and contribute to the public surveillance oversimplified the actual complexity of a public space, as does the assumption that privatization is the opposite of government sponsorship. In terms of practice and perception, several crucial factors promoted the evolution.



First, spatial history that influences people's use of space and challenges planners' ideologies; the influence of spatial history was not easily removed by a redevelopment project. Although the city demolished the flophouses and arrested homeless people, the history and tradition of downtown Phoenix nevertheless keep the street people there. Spatial history is a prominent factor in distorting supposed plans.

Second are the various interpretations of public space's features from different stakeholders: in the discourses of official planning, the features of public space are generally identified. For example, few public space development plans clarify the difference in public security between crime and public nuisance. Thus, the contradictions among the perceptions of the police, merchants, and homeless people may be easily overlooked. However, the opposite perceptions of public security directly led to the death of the first Patriots Park. Public space planning intensively discusses specific features, such as accessibility, public security, and entertainment. Then, the diverse interpretations of different groups of people are generally the primary force that changes the spatial meaning in the official plans.

Third are the political competition and associated perceptions: taking the existing public space for granted is a common misunderstanding in functionalist analysis. Maintaining a public space is a continuous activity that is associated with labor, funds, and the use of numerous resources. Political competition is always related to the distribution of these resources. The design, function and quality of a public space cannot guarantee a victory in a political competition. Thus, the real track of spatial evolution may be correspondingly divergent from the original plans. More importantly, the political

competition reshapes the norms and the legitimacy of a space, directly reconstructing the meaning of property ownership of a public space. Public ownership cannot guarantee public space democracy and integration, and private ownership does not necessitate rejecting government or being financially self-sufficient.

The meaning of property ownership of public space depends on the factors that are clarified in the table. The original meaning is constructed by the planning ideology, and the evolution is promoted by spatial practice and public perceptions. There is no one-size-fits-all norm or feature to summarize the meaning of private or public ownership. All of the listed factors collectively determine the meaning of property ownership.

| The Meaning of Public Space Ownership |  |                         |  |  |
|---------------------------------------|--|-------------------------|--|--|
| The Initial Construction              |  |                         | The Spatial Evolution                                      |  |
| Planning Ideology                     | 1. the real planning purpose                       | Practice and Perception | 1. spatial history   |  |
|                                       | 2. the officially supposed legitimacy of the space |                         | 2. the spatial features interpreted by different groups    |  |
|                                       |  |                         | 3. the political competition and the associated perception |  |

Table 1: the Meaning of Public Space Ownership

Public space planning, as a specific public administrative activity, should not be considered as a black box or the individual directives of political leaders. The meaning of property ownership is constructed in a dynamic process that may only be examined by particular social contexts, as opposed to any mechanical or functionalist assumption.

This dissertation breaks through the superficial metaphorical assumptions that public ownership creates democracy or that private ownership is financially self-sustaining. Opening the black box of the planning process in a city government and understanding the real complexity of public space planning are primary concerns. According to Lefebvre's methodology and framework, the meaning of a space is an

existing reality but also a social production. All of the planning ideology, practices, and perceptions contribute to the meaning of a space, among their contradictions. Therefore, no single dimension can accurately illuminate a spatial meaning in property transfer because the meaning is generated by the complex contradictions among all three dimensions.

More importantly, because a spatial meaning is always created in dialectic contradictions, no feature of publicization or privatization can be taken as an absolute truth or falsity. “If we consider the content, if there is a content, an isolated proposition is neither true nor false; every isolated proposition must be transcended; every proposition with a real content is both true and false, true if it is transcended, false if it is asserted as absolute” (Lefebvre, 1968, p.42). Similarly, no planning theory can be absolutely true or false. Although a public space is a manmade space, the meaning of a space is not under the control of its planners or applied theories. The history of Patriots Park is a typical case: although the planners demolished all historical structures within an entire block, they did not create the modern and orderly downtown that Le Corbusier foresaw. Then, the redevelopment plan that applied Jacobs’ theories created a campground for homeless people rather than a park. In this process, Le Corbusier and Jacobs’ theories were both true and false. They were right because these theories were once used as intellectual tools to understand and solve the real urban problems and then contribute to the dialectic evolution of a space. Without Le Corbusier and Jacobs’ planning theories, it would be impossible for us to witness a history such as that of Patriots Park. The theories are false if we assume that a planning theory can anticipate and determine the future of a space by

itself. In fact, however, no planning theory can do that because an outcome is the result of dialectic contradiction within spatial contents.

We should stop placing an absolute meaning on public space privatization, such as order/serious regulation or efficiency/inequality, because we will find a counterexample in some other space with different spatial contradictions and contents in their evolution. In contrast, illuminating the spatial contents of all three dimensions and the evolution of these contents' contradictions interprets the meaning of public space ownership beyond intellectually fixing the logic of property transfer in a rigid economic model (Harvey, 1985). This dissertation is such an attempt. It interprets the underlying rationales of “irrational” outcomes, such as demolishing old structures but leaving the land vacant, and complements current theories that are generally based on economic motivation in their interpretation (e.g. revanchist city theory). With the comprehensive review of spatial contents and evolution, the prominent logical problems in current studies of public space privatization, such as inconsistency and counterexamples, will, to some extent, be better interpreted.

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## APPENDIX A

### THE BACKGROUND OF ANONYMOUS INTERVIEWEES

Anonymous Interviewee # 1

A member of Arizona Preservation Foundation who has been heavily involved in downtown planning efforts. (Interview date: 2016 April 17)

Anonymous Interviewee #2

A previous firefighter, who was lived across the street from Patriots Park (Interview date: 2016 October 19)

Anonymous Interviewee #3

A scholar and famous writer of Phoenix local history (Interview date: 2017 January 10)

APPENDIX B

SECURITY INFORMATION OF LASER EQUIPMENT

(WALKER, 1989 MAY 24, PARA. 18-23)

One major headache for the designers of the Phoenix show will be the vertical beacon's effect on aviation in the area. The downtown park is located not too far from the flight path of airplanes headed for or leaving Sky Harbor International Airport, and the Federal Aviation Administration has some say-so on the kind of lights that may be shining near (or into) a pilot's eyes.

Whiting says the FAA is aware of the city's plans, and that "all indications" from the agency are that the beacon will be approved. "The problem we have is that laser light itself does damage the human retina if it is viewed at less than 1,000 feet," says Whiting, adding that ground-level observers won't be looking at the laser light straight-on, which is how eye damage occurs, but from the side. "If a pilot is flying 1,000 feet above the ground in downtown Phoenix, he's way out of the flight path. We don't expect that's going to happen."

Another concern is the extent to which a joystick operator will be able to control a potentially blinding laser beam. Apparently the vertical column itself will not be controlled by the citizen operator, who will only be able to alter the projected laser images on the fabric screens.

The Center for Devices and Radiological Health regulates laser use. (The C.D.R.H., a division of the Federal Food and Drug Administration, is located in Silver Spring, Maryland.) City officials have consulted with Dale Smith, a consumer-safety officer with the C.D.R.H., regarding the safety of the interactive element of the downtown display. "I don't see any problem in what they're doing," Smith says. "As

long as the projections are confined by the hardware, there's not really any great problem for an audience member."

Two separate systems will be used to harness the laser light, Whiting says, one a physical barrier near the laser's projection point onto which errant beams will be deflected, the other an internal barrier generated by the laser-controlling computer's software. As an additional fail-safe measure, a city-employed operator will be on duty while the laser is active. "An operator should be 'in control', and should be able to shut the laser down when he feels that's necessary," Smith says. "He should have an emergency 'off' switch."